1379. a 2.

In Thys boke is conteyned the offyce of Shyryffes, Bailliffes of liberties, Escheatours Cõstables and Cozoners, & sheweth what euery one of thẽ maye do by vertue of theyr offyces drawen out of bokes of the comen lawe & of the statutes.

Sheriffs K

HONI
SOIT QVI MAL Y PENSE

The offyce of Shyrefes

What the offyce of a shiriffe is, hereafter shall more playnly appere, but in a generalty hys offyce is ryghteously and duely to retourne all wrytes and preceptes to him directed, and truely to execute the same accordinge as he shalbe commaunded in the same wrytes & preceptes. And that he take nothynge of any persone for doynge his offyce, but the due and accustomed fees to him belongynge. And that he duely holde and kepe his counties, courtes and tournes accordinge to the due course of the lawe. Upon these thre poyntes dependeth the hole charge and effecte of his office.

¶ The office of the Shyrefe is to retourne, good sufficyent, and reasonable issues & vpon suche persons as haue sufficient goodes or landes accordinge to ỹ statute of Westminster.2

Capitulo. xxxix. and. Edwardi. iii. Capitulo quinto.

¶ The shyreffe ought to take the inditementes founde before hym in his Towne by indenture, and so shall Baylliffes of fraunchyses, one parte where of shall remayne with the indytours, secondo Edwardi tercii. Capitulo. xvii.

¶ The Shyreffe may arreste men ryding or goyng armyed, and compyte them to pryson, there to remayne at the kynges pleasure. ii. Edwardi. iii. Capitulo. v. at Northamton.

☞ Shyreffes & vndershyrraffes shall receyue writtes in euery place within the countye without takynge ought, and shall make a byll whiche yf they refuse other that be present shall put to theyr seales. And yf they retourne nat the same wryttes, they shall be punysshed, and shall rendre damages to the party. ii. E. 3. Cap. v. at Northãp.

Shy=

¶ Shyrefes and gaylours shall receyue theues indited or take with the maner without takynge any thynge for the receyte. 4. Edwardi. 3. Cap. 10.

¶ Shyrefs shall leasse theyr Hundredes and Wepentakes after the olde ferme, & nat aboue. An. 4. Edwar. 3. Cap. xv. & An. Edwardi. 3. Ca. 8.

☞ Shyrefes ought to arrest persons suspect of felony goynge, by nyght or by daye whiche be of euyll fame. An. xi. Edwardi. iii. Capitulo. xiiii.

¶ The Shyrefe in one countye shall haue no mo Baylliffes errant but one 14. Edwardi tercii Capitulo. 9.

¶ Shyrefs ought to kepe theyr tournes euery yere within a moneth after Easter, and within a moneth after Myghelmas. 13. Edwardi tercii. Capitulo. xiiii.

☞ Shyrefes that leuie issues fynes and amerciamentes in the countye, ought to haue the extreates ensealed

with the seale of ỹ Eschequer, so that as muche as is payed may be totted. And if any shyrefe or minister do the contrarie, he shall rendre to the partie treble damages, and shall make fyne to the kynge, and the sute hereof may be aswell afore Justicers of the peace as before other Justicers. 42. Edwardi tercii. Capitulo. ix.

¶ The shyrefes shall arrayne the panelles of Assyse foure dayes before the sessions at the lest vpō payne of. xx. li. And Baylyffes of lybertyes shall make retourne to the shyrefes vi. dayes before the Sessions, vpon the same payne. xlii. Edwardi tercii. Capitulo. xi.

¶ The shyrefe ought to examine loyterers and vagarantes, and compell them to fynde suertye of theyr good behauyour by sufficient maynpris of such as be distrenable, yf any defaute be founde in suche vagarantes. And

if they

ſf they can nat fynde ſuche ſuertye, the to commaunde them to the next gayle there to remaine vntyll the cõmige of the Juſticers of Gayle delyuerye, they to do with ſuche vagarantes as they ſhall thynke beſt. vii. Richardi. ſecundi, Capitulo. vii.

¶ The ſhyzyffe ſhalbe bonden foure tymes in the yere to make pzoclamacyon of the eſtatute of Wincheſtre in euery hundzed of his Baylewyke.

¶ The Shyzeffe oughr to take ſwerdes, daggers and hangares from ſeruaũtes labozers, and ſeruauntes of craftes men, and vyttayllers that weare thẽ, onles it be i tyme of warre oz when they labour in the countrey, with theyz maiſters oz vpõ theyz buſynes. And the ſhyzeffe ſhall kepe the ſame wepons, whiche they ſhall pzeſent vnto the Juſtycers of the peace at theyz ſeſſyons with the names of them that beare thẽ. xii. R. ii. Capi. vi

¶ Shyrefes ought to receiue labou rers, seruaũtes, beggers, and vaga= boundes, and them deteyne in prison without bayll or maynpris, and wi= out fee or takinge any thyng at theyr entre or goynge out of prison, vpon payne to forfayte. C.li. to the kynge Anno. xi. Richardi. ii. Capitulo. ix.

¶ Shyrefes and other ministers of the kynge so sone as they shall haue knowledge of assembles and ryottes with outragious nombre of people, ought with the power of the shyre to go and make resystence agynste suche malyce w all theyr strengthe & shall attache suche mysdoers and kepe thẽ in prison vntyll the due punyshment of the lawe be executed vpon them. And all maner of Lordes, and other the kynges true liege men oughte to be assysted with all theyr power and strength to ayde the Shyrefes and other mynysters therin. xvii. Ricardi

secundi

ſecundi Capitulo octauo.

¶ Shyrefes ought to be perſonally dwellynge in theyr baylewyckes for the tyme, and they ſhall nat let them to farme. Anno. 4. Henrici. 4. Capi. 5.

☞ Shyrefs ought to ſe and prouide that neyther theyr vnderſhyrefes, baylyffes, Clerkes, nor Receyuours ſhalbe Attourneis in ỳ kynges courtes for the tyme of theyr offyce primo Henrici qninti. Capitulo quarto.

¶ Shyrefes ought to let to maynpris pſons indited of hereſy, and lollardes whiche are in theyr keppynge win. x. dayes vnder good ſuertye, ſo that they appere before ỳ ende of the ſayde. x. dayes. An. 2. Henrici. 5. Ca. 7

¶ Shyrefes ſhall cauſe the ſtatute of purueyours to be proclamed foure tymes in the yere, vpon payne. C. li. for euery tyme that he falleth ſo to do And vpon lyke payne ſhall delyuer the ſame to his ſucceſſoure to be pro-

 clayned

claymed primo Henrici sexti. Capitulo secundo.

¶ Shyreffes must make due electõn of knyghtes of the parlyament. ix. H. vi. Capitulo. iiii.

¶ Shyreffes muste returne such psons knyghtꝫ of the parliamẽt which be chosen by the greater nombre of ꝑ freholders dwellynge in the countye which may expẽde. xl. s. yerely aboue all charges. And that those knyghtes be dwellynge within the same cõũtye And that he examyne euery freholder at such eleccions vpon a boke, howe much he may expẽde. And if any shyreffe retourne other knyghtes he shal forfayte. C. ℔. to the kynge, and shall haue one yeres imprisonmente without bayle or mainpris.

¶ Shyreffꝫ vpõ a pcept made vnto thẽ by Justicers of ꝑ peace to inquire of forcible ẽtre, shall returne vpõ euery of ꝑ iurrours. xx. s. i fines at ꝑ first

day

daye. And Justicers of the peace shal here & determyne suche defautes of shyreffes by byl at the sute of the ptie or by inditemēt. And they shal lese. xx. l. for euery defaute. And he ỹ wyll sue shall haue the one halfe. 8. H. 6. Ca. 9.

¶ To auoyde Robbories & spoyles vpon the ryuer of Seuerne, & by the costes of forestes of Dean, & the Hūdredes of Blodeslom, and Westbury in the countye of Glocester, the Shyreffes of Glocester, or the bayllyffes of the towne of Glocestre after notyficacion made to any of them of suche iuuries, and damages, by the partyes greued, within foure dayes after suche notyfycacyon made shall make proclamacion at the towne of Glocester, that suche offendoures within. xb. dayes after suche proclamacyon, shall restore vnto the partyes endamaged theyre goodes so taken, or the value. w a reasonable amendes.

The

The sayde shyrefes Bayliffes to kor kayte.xx.li.yf they fayle so to do. ix. Henrici.vi.Capitulo.xxviii.

☞ The shyrefe of Yerkorde neyther in his tourne nor in any other place after the tourne endyd shall take any inquirye or inquest of offyce, whithe ought nat to be taken there. Neyther shall he take any fyne or amerciamēt for thynges nat apperteyning to his offyce or tourne vpon payne to forfayte.x.li.Anno.ix.H.vi.Capi.vii.

¶ Shyrefes ought to retourne i attainter i ple of lande, mē of the yerely value of.xl.s̄.or in an accyon for dedes concernynge landes of suche value, and in accyons of the sūme of.xl.li.and more, those persons dwellynge within theyr bailliewyke whiche may expende.xx.l.yerely aboue all charg̃ for terme of lyfe at the least, out of aūciēt demesne Gauelkīde, & the.v.portes. And at ỹ fyrst distresse.xl.s̄.& at ỹ seconde

seconde.C.s.& the double value of e-
uery other dystres agaynste the Jur-
rours, vpon paine of.x.l.to the kynge
and asmuch to the party. And yf ther
be nat suffycient persons dwellynge
within the countye which may expen
de.xx.l.yerely: thē shall they inpanell
other persons of the moste suffycyent
possession of yerely value of landes,
and tenementes within the value of
xx.l.vpō payne to forfayte.x.l.to the
kynge & to the party asmuche in the
fourme afore sayde.xv.H.vi.Capi.v.
¶ The shyreffe or vndershyreffe of
Herforde must arrest such persons of
Wales or the marches therof, which
be outlawed of treason, or felonye,
whom the sayde Shyreffe knoweth
or seyth to be in any place within the
sayde couutye, and to brynge them to
the Gayle. And yf any suche persone
beynge indyted do disobeye or fley a-
waye, the sayde shyreffe shall le-
uie hue

uie hym and crye & purſue hym vpon paine to make fyne and raunſome to the kynge. 23. Henrici. vi. Capi. v.

☞ The ſhyreffe ſhal nat occupye his office aboue one yere, and if he ſo do, than to forfaite. xx. l. and euery pardon for ſuche offences ſhalbe voyde, any word put in ſuche letters patentes nat wſtāding. Alſo he that preſumeth to occupy the ſame office aboue one yere by force of ſuche letters patētes ſhalbe dyſable to be ſhirefi any other ſhyre afterwarde. 23. H. 6. Ca. 8.

¶ No ſhyreffe ſhall let to ferme his countie, nor any of his bayliwykes hūdredes, or Wapentakes.

¶ No ſhyreffe, Bayllyffes of fraunchyſe, ne other officer ſhal returne in any panell, any of his Bayllyffes, officers, or theyr ſeruauntes.

¶ No ſhyreffe nor any other to any vſe ſhal take ought of any perſone to be arreſted, or attached, nor to ſurceaſſe

ceale of any arreſt or attachemente to be made by the bodye. Nor ſhall take ought of any perſone arreſted, or attached for fine, fee, ſute of prſõ, mayn prys, lettinge to bayle, or for ſhewyng any fauoure or eaſe to any perſon beynge ſo arreſted, excepte it be as here foloweth, that is to wete to ỹ ſhyrefe xx.d. to the baylliffe that made the arreſte. viii.d. and to the gayloure if the priſoner be cõmitted to warde. iiii.d.

¶ The ſhyrefe him ſelfe nor any to his vſe ſhall nat take any thynge for the makynge of any retourne or panell, but for the coppye of the panell. iiii.d. Howbeit they vſe to take. ii.s. for the retourne of a panell: but ỹ ſemeth to be extorcion.

¶ Shyrefes ought to let out of priſone all perſonnes beynge in theyre warde, by force of any wrytte byll or warrante in any accyon perſonall, or indytemente of treſpas vppon a reaſonable

reasonable surete beynge suffycyente in the counte to kepe theyr dayes in the places as the sayde billes wrttes or warrantes require, excepte suche as be condempned, outlawed or excō municate, or for suertye of the peace or by the cōmaundement of any Justicer, and bagaboundes whiche refuse to serue.

☞ Also Shyreffes ought nat to take any obligaciōs for any thinge aboue mencyoned. or by coloure of theyr office but onely to them selues, nor of any persone beynge in theyr warde, but by the name of theyr office, as by the name of Shyreffes in the oblygacyon, vpon cōdicion that the partyes shall appere at the dayes conteyned in the wrytes, in suche places as the billes, whyttes, or warrantes require And if any obligacion be takē of any person by colour of theyr office i any other fourme, it shalbe voyde.

Shyryffe

¶ Shyreffes shall nat take for any oblygacion warrant or precept by thē to be made any more than. iiii.d.

☞ Shyreffes must make theyr deputies yerely in ẏ kynges courtes, that is to wete in the chaūcery, the benche and ẏ eschequer of recorde before they returne any wrytte.

¶ Shyreffs that do contrary to thys ordinaunce in any poynte shal lese to the party greued treble damages, & shall forfayte. xl.li. for euery tyme ẏ they shal so offende, ẏ one halfe to the kynge the other to him that wyll sue 23. Henrici. 7. Capitulo. 10.

¶ Shireffes whē writtes be directed vnto them to leuye the exspences of knyghtes of the parlyamente, muste make proclamacion at the next countie after the delyueraunce of the same wryttes, that the Coroners, Constables, and Baylleffes of hundredes shall be there to assyse theyr

wages, vpon payne of .lx.s. what tyme they shall assesse euery hundred at a certayne sũme by it selfe, and after they shall assesse euerye vyllage with in the same hũdred at a certayne summe by it selfe. And if they be other wyse assessed, for euery defaute they shall forfayte.xx.l. The one half wher of shall be to the partye that wyl sue. And the shyreffe shall leuye the same duely, and shall pay it to the knyghtes of the parlyament vpon payne of.xx. li. And the partye that wyll sue shall haue his accion by Scire facias, and shall haue.x.li. aboue the .xx.li. with treble damages.xxiii. Henrici sexti. Capitulo vicesimo secundo.

¶ The shyreffe after the delyuerie of any wrytte to make electyon for the knyghtes of the parlyament, muste make a sufficient precepte vnder his seale to euery Mayre and bayllyffe of Cytyes, and Boronghes, within the

the countie, them commaundynge to electe Cytizens, & Burgesses to come vnto the parlyamente. And the sayde Mayze and bayllyffe shall truely retourne the same pzecepte to ỹ shyzeffe by endenture bytwene them foz the electcyon and names of them that are so chosen. And the shyzeffe is bounde to make a good and true retourne of euery suche wzyt, & of euery retourne made to him by the Mayze and Baillyffes. And foz euery tyme that the shyzeffe shall do contrarye to this oz any other estatute made foz the electcyon of shyzeffs to come vnto ỹ plyament he shal encurre the payne of one C.li. to the kynge, and a yere imprysonment without bayle. And mozeouer shall paye vnto the person so beynge chosen, knyght, Cytizins, oz Burges and nat duely retourne: oz to any other personne whiche in defaute of suche knyghte, Burgesse,

or Citizin wyll sue therfore, one hundred poūde to be recouered by accyon of dette.

☞ And the shyreffe ought to make suche elecctions in the full coūtye bytwene the houers of. viii. and. ix. before none, and to make a good and true retourne of such elecctyons vpon payne to forfayte. C. li. to the kynge, and asmuche to the partye that wyll sue therfore agaynste the shyreffes, theyr executours, or admynysters. 23. Henrec i. vii. Capitulo. xv.

¶ Shyreffes in theyr tournes ought to inquire, here and determine, if any minister, of the warden of the courte in the marches of Scotlande: or yf any other arreste any persone by his body, or attache hym by his goodes out at the countyes of Northumberlāde, & Cumberlāde, & westmerlāde & the towne of Newcastel to answere in any of the sayde courtes: or els by co-

loure

loure or cause of any proceſſe in the ſayde courtes: for in ſuche arreſtes it ſhalbe lawfull for euery man to make reſiſtence. And the party greued ſhal haue an accyon of falſe imprſonmēt or treſpas and ſhal recouer treble damages therfore, and the defendaūte ſhall haue two yeres imprſonmente, and the ſhyreffe ſhal haue power to ꝓceede therupon, aſwell as vpon a preſentmēt made in his turne. 31. Henrici ſexti. Capitulo ſecundo.

¶ Where as ſome men by diſſimulacyon and other meanes fayne themſelues to be louers to women vnmaryed as Maidens, or wydowes hauynge greate poſſeſſion and ſubſtāce of goodes, & get ſuch womē i to theyr poſſeſſiō, & conuey thē into ſuche places, from whence they wyll nat ſuffre them to go at theyr lybertye, excepte they wyl make to them oblygacions of greate ſummes to be payde vnto

them or cause them to be bounden in estatute Marchaunte; or some tyme wyll compell them to be maryed at theyr pleasure, whiche yf they refuse to leuie vpon them the summes conteyned in the same oblygacyons and statutes, it is ordeined that ỹ partye greued shall haue a wrytte out of the Chauncery comprysyng the hole matter of theyr vnreasanable intreatyng directed to the shyrefe cõmaundynge him to make proclamacion at ỹ nexte Countie after the receyte of the wryte that the offendoure shall appere at a certayne daye and place prefixed in the wrytte before the Chauncelloure or the Justicers of Assyse of the shyre where suche offences shall haye to be done or before some other persone assygned by the Chauncelloure. And the shyrefe to whom suche a wrytte shalbe dyrectes, and shall execute the same accordinge to the tenoure

therof

therof vppon payne of . C C C.li. the one halfe to ye kynge, the other to him that wyll sue therfore by wrytte of dette, wherin no wager of lawe, proteccyon, nor foryn ple (to cause the matter to be tryed in another coũtye then where the wrytte is broughte) shalbe allowed. 31. Henrici. 6. Capi. 6.

¶ Upon euery inditemente or presẽtment taken before shyreffes or theyre ministers in theyr tournes, or lawedayes, they shall deliuer the same inditementes and presentemẽtes to the Justicers of the peace at theyr nexte Sessyons vpon payne of. xl. li. And ye Justicers of the peace shall awarde processe vppon the same aswell as yf they had ben takẽ before them selues and shall arrayne those that be so indyted of felonye, and shall sette fynes vppon suche as be endyted of trespas, the extreates of whiche fines shalbe irolled by indẽture & deliuered

vnto the same shyrefes or ministers.
¶ And yf any shyrefes or theyr ministers arreste or attache any person by coloure of any suche inditemente or presentemēt in theyr tournes or lawe dayes, or els take any fyne or amerciament therfore they haue processe frō the Justycers of the peace, or afore ỹ extreates out of the Indytementes shalbe delyuered, they shall forfayte C.li. the moyte wherof shalbe to the partye sueynge therfore by wrytte of dette in whiche no wager of lawe nor protectyō shalbe alowed. 1. Edwardi. 4. Capitulo. vltimo.
☞ Uppon an informacyon made to Justycers of peace, or to other Justycers agaynst any person for reteynig or gyuynge of lyuereys, or agaynste any that is reteyned or taketh liuerie the Justicers shall make processe therupon, as vppon a recouerye of dette or trespas. And if the shyrefe in any

any ſute graũted therupon agaynſte any perſon beyng ſufficient, retourne any leſſe iſſues, then .xx.s. at the fyrſte day of the diſtreſſe, and at the ſeconde day .xxx.s. and at the thyrde daye .xl. s. And ſo at euery daye after, more by x.s. in iſſues, for euery ſuche retourne he ſhall forfayte .xx.s. viii. Edwardi iiii. Capitulo. ii.

¶ The olde ſhyrefe ſhal haue power to retourne wrytes, and to execute his office durynge the terme of ſaynt Myghell, and Hillarie, after the yere of his ſayde office expyred, onles he be lawfully diſcharged therof before 15. Edwardi. 4. Capitulo. ix.

☞ No ſhyrefe, nor other officer ſhal leaſe or take the goodes of any perſõ beyng arreſted or impriſoned for felo nye vntyll the ſame perſone be duely cõuicte or attainted of the ſame felo= ny by courſe of the comon lawe, or ex= cepte the ſame goodes be otherwyſe

lawfully forfayte, vpon payne to for fayte the double value of the goodes so taken to the partie greued iuynge therfore by accyon of dette, wherin no wager of lawe essoyne nor pretec-cyon shalbe allowed 1.R.3. capi.iii.

☞ No bayllyffe nor other officer in any panell within any countie of this realme shall retourne any persone to be put in or vpon any Inquirie in the turnes of shyrefes, but suche as be of good name and fame hauinge free-holde to the yerely value of.xx.s.or copiholde to the yerely value of.xxvi. s.viii.d.at the least aboue al charges vpon payne to lese for euery persone nat beynge sufficient, at euery tyme that they shall so do offence.xx.s.and the Shyreze other.xl.s.wherof the one moyte shall be to the partie su-ynge therfore by accyon of dette, in whiche sute no protecyon, nor essoyne shall be allowed. But wa-

ger

ger of lawe is nat expressed. And for that cause it behoueth to, make informacyon therof in the eschequer. i. Richardi. iii. capitulo. iiii.

☞ Shyrefes or other hauynge the custodye of Gayles shall certyfye the names of euery prysoner beynge in theyr custodye, and to them cõmytted for felonye, vnto the Justycers at the nexte generall Gayle delyuerye to be kalendred, vppon payne to forfayte for euery tyme that they shall make defaute in so doynge. C. s. iii. Henrici vii. capitulo. iii.

¶ Also the shyrefe nor no other pson in his name or by his cõmaundement shal ẽter no playntes ito theyr bokes in no mãnes name on lesse the plãtyfe be there in his proper person or els by sufficient atturney or deputie that is knowen of good name and the playntyfe shal fynde pledges persons that be knowen in that countie to pursue

hys

his playnt, and the playntyfe shal haue but one playnte for one trespas or one contracte. And if the shyreffe or any other his officers cause to be entred any mo playntes then the playntyffe supposeth that he hathe cause of accyon agaynste the defendaũt, than the shyreffe or his clarke that dothe cause to be entred any suche playntes contrary to thys acte shall forfayt for euery defaute. xl. s. the one halfe to him that wyl sue and proue the same mater by acciõ of dette or informaciõ. ☞ Also the shyreffe shall make sufficient preceptes after suche playntes entred agaynste the defendaunte directed to the bailliffe of the hundreth to attache or warne the defendaunte to appere and answere to the sayde playntes, and yf there be any defaute in the sayde bayllyffe of the hundrethe in warnynge or executynge of theyr offyces then to forfayte.

xl. s.

xl.s. and to be conuicte therof by examinaciō of the Justicers of the peace or any of them.

☞ The same shyreffes nor theyr deputyes shall make none estreates to leuie the shyre amerciamētes tyl that ii. Justycers of the peace wherof one to be of the Quorum haue the syghte of theyr bokes and the estreates to be endented bytwyxte the Justicers of peace and the shyreffe and vnder shyreffe sealed with theyr seales, the one parte to remayne with the sayde Justycers, and the other parte with the shyreffe.

¶ And those persons that shalbe gatherers of the sayde amercyamentes shalbe sworne by the sayde Justycers ẏ they take no more money thē is forfayte & cōteyned in ẏ estreates sealed with the seales of the Justicers to the same vppon the same payne of forfaytoure as is aboue rehersed: the

same

same gatherers to be cõuicte by exa-
mynacyon of ỹ same Justicers, or one
of them. And the saine Justycers of
peace shalbe appoynted at the sessyõs
holden at Wyghelmas by hym that
is custos rotulorum or in his absence
by the eldest of the Quorum to haue
the controlemente of the sayde Shy-
reffes vndershyreffe shyre Clarkes
and other of the sayde offycers and of
the sayde shyreffes amercyamentes.
And the sayde Justicers of peace vpõ
suggestion shall make prces agaynste
the shyreffe vndershyreffe shyre cler-
kes or other offycers to appere before
them to answere to suche suggestyon
or informacyon as is vsed in accyon
of trespas. Anno secundo Henrici. vi.
Capitulo. iii.

☞ Also euery shyreffe shall cause to
be taken all vagaboũdes ydle people
and suspecte persons and set them in
the stockes therto remayne at ỹ tyme
takynge

takynge by one daye and one nyght and at the seconde tyme to be in the stockes, by thre dayes and thre nyghtes w̄ breade and water. And yf any shyreffe execute nat these premisses of euery vagaboūde heremyt or begger able to laboure or clarkes pilgrimes or shypmen as often as any suche cōmeth in syght, or that he hathe therof any knowledge within the towne or place where he hathe auctoryte that as ofte as any suche mysdoer abideth there aboue the space of one day and one nyght any depart vnexamined & vnponisshed: for euery mysdoer so departed the Shyreffes to lose. iii. s. iiii. d. and the Shyreffe in his tourne hathe auctoryte to enquyre of all the defautes of Mayres, bayllyffes, hyghe Counstales, pety Coūstables. and all other gouernours, and of other gouernours, and offycers of Cytyes, Townes and Vyllages,

within

within theyr tourne and to haue .viii. s.iii.d.for euery defaute founde in his tourne. An.xvi.Henrici.vii.Capitulo duodecimo.

☞ Also euery shyrefke vpō a precept directed vnto him by the Justycers of peace to retourne a panell to inquire of any ryot or vnlawfull assemble commytted shall retourne.xxiiii.persons dwellynge in the shyre, euery of them haueynge. xx.s. of freholde or. xxvi.s.viii.d.of copyholde or of both ouer all charges and to retourne in issues euery person.xx.s.at the fyrste day and at the seconde day.xl.s.and if the defaut be in the shyrefke for to retournynge of persons nat beynge of that sufficiēce or for none retournyng of yssues in fourme before sayde he to forfayte.xx.li.An.xvi.H.vii.Cap.xv.

☞ Also if any ryotte or assemble of people be made in any parte of thys realme agayust the lawe, the Justy-

cers

cers of the peace, oz two of thē at the leaſt, and the ſhyzeffe oz vnderſhyzeffe may come with the power of the countie (if nede be) to arreſte and bzynge them befoze the ſame Juſtycers of the peace. And the ſhyzeffe oz vnderſhyzeffe haue power to recozde that, that they ſhall fynde in theyz pzeſence done contrarie to the lawe, and the offendoure ſhalbe conuicte by ſuche recozde. And yf they be departed befoze the cominge of the ſayde Juſtycers, ſhyzeffe, oz vnder ſhyzeffe, then ſhall the ſame Juſtycers oz two of thē within one moneth after ſuche riot, enquyze dylygently where the aſſemble was made. And yf the truthe can nat be founde, then the ſame Juſtycers, oz two of them, and the Shyzeffe oz vnder Syzeffe aboue ſayde, within a moneth nexte folowynge, ſhall certyfye befoze the kynge and his counſell the hole dede

withall the circūstāces therof, whiche certificat shalbe as stronge to put the partyes to answere therupon, as an indyteiment foūde bytwelue men. An. xiii. H. quarti Cap. vltimo,

¶ And if the sayde ryot or vnlawful assemble be nat founde (by reason of any embracerye or mayntenaunce of the sayde Jurie) then the sayd Justicers of peace and the Shyrefe ouer and aboue suche certyfycat that they muste make accordinge to the sayde statute made. An. xiii. Henrici quarti. shall in the same certifycat certifie the names of the sayde mayntaynours & embrasyours in that behalfe (yf any be) with theyr myssdemeanours that they knowe, vpon payne of euery of the sayde Justycers, and shireffes or vnder Shyrefes. xx. li. yf they haue no reasonable excuse for none certyfyenge of the same whiche certyfycat so made shall be an indytemente in the

lawe

lawe. And euery persone duelye proued to be maintenour or embrasyour shall forsayte.xx.li.and to be commytted to warde there to remayne by discrecyon of the Justicers.An.xix.Henrici septimi.Capitulo.13.

☞ Also that no Shyreffe vpō wrytts and preceptes dyrected to hym do retourne before Escheatours or Commyssyoners any person to enquyre of any lādes or tenemētes,excepte euery of the same Jurye hane lādes and tenementes of the yerely value of.xl.s̄. aboue all charges in the same shyre vpon payne of forsayture for euery ꝑson so retourned a hundred shyllynges.Anno tercio Heurici octaui Capitulo secundo.

¶ Also all panels put in the shireffe before any iusticer of gaole delyuere, or before Justicers of peace, wherof one to be of the Quoꝝ) in theyr open sessiōs to enquyre for ẏ kynge shalbe

 reformed by

puttynge to, and takynge out of the name so impanelled by discretyon of the same Justicers. And that the same Justicers or Justicer shal cõmaunde euery Shyreffe and theyr mynysters in theyr absences to put other persõs in the same panell by theyr dyscrecion and the same panell so reformed by the Justicers to be good. And if any shyreffe do not retourne the same panell so reformed, then euery shireffe so offendynge for euery suche offence shall forfayte. xx. li. halfe to hym that wyll sue by accion of det, byll or complaynte where suche shall fall or be, & no wager of lawe, essoine, nor protecion shalbe allowed.

☞ Also vpon euery exigent (where wryttes of proclamacion are to be awarded) the same wrytte of proclamacyon to haue the same daye of retourne that the exigent hathe, and to be deliuered of recorde, and the Shyreffe

refe to make proclamacion thre seue-
rall dayes in his plain cõutte, wherof
one of the proclamacions to be made
at the generall sessyons in those par-
tyes where the partye is supposed to
be dwellynge, that he yelde him selfe
to the shyrefe of the fozen shyre that
the shyrefe maye haue the bodye at
the day of the exigent retournable to
answere to the plaintes, and that the
shyrefe of the sayd countie that hath
suche wryttes of proclamacion duely
execute ỹ same, and ther of make due
retourne at the day appoynted in the
same wrytte, vpon payne to forfayte
suche ỹ amerciament as by the Justy-
cers shalbe assessed.

☞ Shireffes, bayllyffes, constables
and all other hede officers, and euery
of them fyndynge or knowynge any
person vsinge or exercisinge any vn-
lawefull games contrarye to the sta-
tute, haue ful power to cõmitte euery

ſuche offendour to warde there to re-
mayne without baylle or maynpzyſe
to ſuche tyme, as they ſo offendynge
be bounden by oblygacyon to the kin
ges vſe in ſuche ſũmes of money as
by diſcrecion of the ſayde Shyreffes,
or other offycers ſhalbe thought rea-
ſonable, that they from henſe forthe
ſhall nat vſe any vnlawfull games.
Anno.ſexto.H.octaui. Cap.ſecundo.

¶ If any impotẽt pſon begge with-
in any other place then with in ſuche
lymyttes as he ſhalbe aſſygned: the
Shireffes and all other the kynges
offycers ſhall by theyr diſcrecyon pu-
nyſhe ſuche perſons by impzeſonmẽt
in the ſtockes by the ſpace of.ii.dayes
and two nyghtes gyuinge thẽ bzeade
and water onely, and after that cauſe
them to be ſwozne to retourne agayne
to the place where they be lycenſed to
begge. Anno.xxii.Henrici octaui Ca-
pitulo duodecimo.

The

¶ The Justicers of peace vpō inforꝛ macion oꝛ pꝛesentment made agaynst any Towneshippe foꝛ non executyng of this acte, shall make pꝛoces by dy= stres agaynst the inhabytantes of the towne, and therby the Shyreffe shall distryne the gooddes of one oꝛ two of the inhabytaūtes of the towne as he may knowe foꝛ neclygēt in the towne and retayne the dystres tyll he fynde suertie to appere at the sessyōs beꝺoꝛe the Justycers.

☞ And vpon the retourne of the shy reffe of the dystres, yf the persone ap= pere nat, then euery suche persone to lose. xl. ꝺ. at the fyꝛste dystres, and at the seconde dystres. vi. s. viii. ꝺ. vpon his ꝺefaulte, and so to be doubled at euery dystres tyll apperaunce be had.

¶ Shireffes that haue custodye of Gaolee shall make seales to be grauē with thꝛ names of ꝯ castel that he ke= peth foꝛ to gyue, and seale wꝛyttes

to prysoners acquyted to begge for theyr fees within the hundreth where he is deliuered by .vi. wekes nexte after his deliuere, and then to go to the hundreth where he laste dwelled by .iii. yere, or where he was borne. The shyreffe shall nat suffre any suche prysoner to begge for his fees, nor to departe but to do seruyce and laboure, tyll that he delyuer him suche letter, and the Clerke of the peace to make the bryefe within one daye after the sessyons, vpon payne of twelue pens to the kynge. Anno. xxii. Henrici. viii. capitulo. 12.

¶ For distroyng of Crowes, Rokes and Choughes, it is ordeyned that euery person hauinge any maners lãdes and tenementes in theyr manurance, shall do as moche as in him is resonable to kyll and distroye ỹ same Crowes, Choughes and Rokes bredynge or abydynge vpon his landes

or

oz tenemẽtes, vpõ paine of a greuous amerciamẽt to be set. And yf ỹ offence be within the lymittes of letes, rapes, oz courte barons, then to be set by the Steward with two of the ꝑsentours by the Stewarde and pzesentours to be named vpõ the pzesentment foũde and pzesented, and to be reasonably assessed after the quãtite of the offẽce And the amerciament to be to ỹ lozde of the lawdaye, and yf any person be lozde of suche manours, oz inhabyte there(where vnto any suche lawdaye oz rape is belongynge, then vpon a pzesentemente had befoze the shyzeffe in his tourne with two of the pzesentours to be chosen by the pzesẽtours, shall cesse the sayde amercyament by theyz discrecion to the vse of the kyng and be leuied by dystres. Anno. xxiiii. Henrici. viii. capitulo. x.

¶ And the shyzeffes in theyz tournes shall gyue in charge to the tenantes

and inhabitauntes appertinge before them that they shall duely enquyre, and put in execucyon the effecte of thys acte.

¶ Shyrefes shal holde theyr courtz from monethe to moneth. And where greater tyme is wonte to be, greater shalbe. Magna Carta. Cap. xxviii.

☞ The kynge cõmaundeth that shyrefs and theyr officers which receyue his dette shall acquyte lawefully the dettours at the next accomptes after that they haue receyued the det: and then it shalbe allowed at the Eschekker, so that it shall nat come in the somons after. And yf the Shyrefe do otherwise, and be attainted therof he shall rendre thre tymes so much as he hathe receyued, and shall make fyne at the kynges wyll. And yf another do it, for whose hande he is annswetable at the Eschequyre, he shal rendre the treble therof to the plaintyffe,

and

and ſhall make fyne in the ſame. And the ſhyzeffe ſhall make tayles to all them that haue payde him the kyngꝭ dettes. Weſtmynſter pzimer Capitulo nono.

❧ Concernynge ſhyzeffes and other whiche haue leuyed the kynges dette, and make tayles oz other acquitance to the dettour, and diſcharge him nat Jt is agreed that when the ſhyzeffe is impleded therfoze in the Eſcheker by the dettour, if he come nat at the dyſtres, then ſhall another dyſtres be awarded retournable at a certain day, wherein it ſhall be commaunded that pzoclamacion be made in the full cou̅tie, that the defendaunt ſhall come in by a certayne daye to acquite the dettour of the ſumme, foz which he made him the acquitance oz tayle, at whiche yf he co̅e nat i, & the wzyt be retourned and the pzoclamacyon certyfyed, he

ſhalbe

shalbe holden conuicte, and the dette shalbe leuyed of him, in lyke maner as dette recouered, agaynst him in ỹ kynges courte, and damages shalbe awarded to the playntyfe accordinge to the discrecion of the Barons. xiiii. Edwardi. 2. in the statute of Attayntes, the laste Chapiter.

☞ The kynge cõmaundeth that all Shireffes, and Baylliffz which haue receyued his dettes, of the somons of the escheker, which acquite nat ỹ dettours vpon the nexte accõpte, shalbe punyshed accordinge to the estatutes made. Distresses of the Eschequyre. Capitulo quinto.

¶ It is ordeyned that execucyon of writtes whiche come to the Shireffe, be made by the hundreders knowen and sworne, and in the full countie, & nat by others, yf it be nat for greate scarsyte of hundredars. For then it shalbe done by other persone conue-

nient

uiente and swozne. The statute of Lyncolne the laste Chapiter.

¶ Shireff shal nat be charged with the leuyeng of any issues, noz shal leuie any before they come out of the Escheker by the extrates there to be leuyed. And yf percase any Shyreffe retourne issues vpon any recognitoz pledge oz manucaptoz, by hi assessed and retourned into our court, whiche to the payement of the same issues oz amercyamentes at the tyme of the retourne was insufficiēt: the same Shyreffe shall be charged therwith at the Escheker, and shal make tayles to all persons of all maner of thinges by hi receyued, and shall nat retourne any where the names of manucaptozes, Jurrours, oz other except it be accozdynge to the tenour of the wzyttes to them directed, noz shall retourne the names of pledgz of fre men any wher oneles they haue manyfestly cōfessed

them

them selues pledges. The statute of Fynes. Capitulo secundo.

☞ No shyreffe cozoner, oz other the kynges mynysters shall take no re-warde foz doyng his office, and if he do, he shall paye the, double, and shal be punyshed at the kynges wyll, but shalbe payde of that which they take of the kynge. Westm̃. i. Cap. xxvi.

¶ Shireffes shall nat suffer any bar retour oz maynteynour of matters within his coũtie, neyther stewardes of greate lozdes oz other (whiche be nat attourneyes to theyz lozdes to do theyz suytes) noz to syt vpon the iud-gementes of the counties, noz to pzo-nounce them excepte he be therto re-quyzed of all the sutours and attour-nyes ẏ shalbe there at the same iour-ney. And yf he do the contrarie, the kynge shall take it greuously to the shireffe and the offendour. Westm̃. i. Capitulo. xxi.

At

¶ It shalbe lefull for euery shyrefe Justicer of peace and Escheatour to sease to the kynges vse al such goods and catels that suche persõs as come within this realme ỹ be called Egipsiãs haue, and therof to make accõpt to the kynge in his Escheker, and to retayne and kepe the moyte therof to his owne vse, and accompte for the residue, and to pay no fees for the accompte nor for his discharge therof.

¶ In the statutes it appereth what thinge the shyrefe ought to do by reason of his office, & that he ought nat to take any thinge for doing hȝ office but onely that whiche is appoynted to him by the same estatute. And if he do or take any thinge otherwyle, it is extorcion which ought to be enquired vpon by Justycers of the peas, & the shyrefe shalbe punyshed therfore.

¶ And if any shyrefe do any extorciõ to the people, and be duely attainted therof

therof, he ſhalbe ſtraytly punyſhed therfore at the pleaſure of the kynge. Anno.1.H.4.Capitulo.11.

¶ Shyreffes maye, and are bounde to enquyre of comen annuſances done to all maner of the kynges ſubiectes, but nat of aſſaultes made vpon any priuate perſon for that is but a perticuler offence, by Martin.iiii.Hen.vi.

¶ The ſhyreffe muſte kepe his turne within a moneth after Eaſter, & within a moneth after ỳ feaſt of S. Mighell. And if he kepe it at any tyme after the mouethe of the ſayde feaſtes, it is voyde by the eſtatute of.An.31.E.3 Capi.19. And all indytementes, and preſentementes there taken after the ſame tyme be voyde.

¶ Blodeſhed ſhalbe enquyred of in the ſhyreffes tourne, bycauſe it is an article that is to be inquyred of in a Lete. All Letes be deryued and taken out of the Shireffes tournes, in ſo

moch

muche that for defaute of inquery in Letes of thinges inquerable there the same thinges ther omitted ought to be inquired of in the turnes of shyrefes. P.8. Edwardi.4.

☞ And all the Justycers sayde that the shyrefe in his tourne hathe auctorite to inquyre of all thinges that be trespas, or felony by the comō law (excepte the death of a man) but of trespas or felony made by estatute the shireke i his turne hath no power to inquyre of. H.28. Edwardi.3.

¶ And if the shirefe in his tourne inquire of nulances, that shulde be inquired of in the Lete of an other, and the same be founde, yet maye he nat distraine for the amerciament of such a presentement. For if he do he is trai passour. But if there were a defaute in ỹ lorde of the Lete in that he wolde nat inquire, or fynde the same, whan he ought to haue inquired therof: in

this case it semeth that the shyrefe in his tourne may inquire of it i defaute of the lorde . M.xxviii.Edwardi.iii.
¶ And if one haue a fayre or market by graunte or prescripcion, and kepe nat his fayre or market as he oughte the Shyrefe oughte to inquyre therof in his tourne.xxii.Henrici.vi.
¶ Upon a presentement of Nusance in the shyrefes turne, the partie shall be amercied therby the shyrefe, whiche may distreine for the amerciamēt And if porpresture be presented there the shyrefe may abate the same, and refourme it.M.xxvi.Edwardi.iii.
☞ Also it appertythe by the boke of Breton that vnto the turne of the shireffe ought to come al the freholders of the hundred, and other lande tenauntes (Clerkes, men of Relygyon and wymen onely excepte) wher at the shyrefe shal cause.xii.of the most sage and sufficient persones of the hūdred to be

to be sworne. And then shall all the residue besworne by dosins, and by ẏ townes, whiche shall make theyr presentment to the fyrste. xii. Jurours vpon ẏ articles where with they shal be charged. And it semeth that the shyreffe ought to holde his tourne in euery hundrede within the countie.

¶ What thynges be inquirable in the Shyreffes tourne.

FYrste they shall inquyre if there be any mysdoer in ẏ hūdred of whom any standeth ī doute of lyfe or lymme, & what is his name.

¶ Also they shall inquire of all mortall enemyes, to the kynge the quene theyr chyldren, or counsellours, of counterfeatynge the kynges seale or his money, of man slears and murderers, of burners of others corne or houses felonyously, of Burglours of Robours, of theues, of outlawes

of those that haue abiured ẏ realme, and cumme agayne, of Sorceris and witches, of miscreantes, and hecytykes of tratours and of prysoners, of cutters of purses, of Usurers, of Uitaylers byeng and sellynge wyttyngly stolne fleshe: of them that wyttyngly make whyte the skynnes of beast stolne, of redubbours that wyttyngly bye stolne clothes, and dresse them into another facyon, of treasour hyd in the grounde, hues & cryes wrongfully or ryghtfully leuyed & nat pursued or waters stopped, strayghtened or tourned, of boundes pulled vp or wrongfully chaunged, of walles, houses, gates, marlepittes dytches or other disturbaũces made or leuied vpon any comon waye to the annusannce, of petye brybours that shere shepe to haue the wolle, of suche as take thefbote, and of those that haue made a pryson of theyre owne house

or house

or houſholde, of pounde breache, of treſpaſſours in parkes and pūdes of takers of other mennes doues, of the aſſyſe, of breade and ale broken, of thē that bye and ſell by meaſure agaynſte the aſſyſe, of chaunce medleys, of cō-tecknours, of blodeſhed, of watches vnkepte, of the kynges hyghe wayes nat enlarged, of thoſe that haue kept appeachours in any other pryſon thē the kiges or any other felon aboue a day & a nyght, of newe liberties cuſtomes or iuryſdiccions vſurped ſyns ỹ laſte tourne on water or on lande, of weyfes, of wreckes of the ſee founde and kepte awaye, of bryges & cauſeis brokē, and who ought to repayre thē, and of thoſe that clayme fraū-chyſes, or iudgementes realles, and of all thoſe of the age of .xii. yer⁊ gon out of the hundred, whiche be nat come in to thetourne (excepte Clerkes, knyght⁊ theyr childrē & wyues which

be nat in dosyns) of vagaboundes by the countre whiche are of no mannes retynue, of whom there is any euyll suspeccyon of lewede demeanoure.

¶ And when the townes haue gyuen theyr verdyte to the fyrste Jurrours then immediatly shall the fyrste Jurrours go and gyue vp theyr presentmēt suche as they wyll abyde by. And the presentment of felonyes they shal shewe preuely. and the other openly. Breton. li. j. folio. xxxviii.

☞ Nowe muste ye inquire further if bayllyffes of lybertyes and fraunchyses, haue duely done theyr office whiche resteth in thre poyntes, whiche is that they truely execute the preceptes whiche be dyrected vnto them accordynge to the tenours of the same, and that they make due answere and retourne to the Shyreffe of the same preceptes, and that he take nothynge for doynge his offyce but only the

fees

fees to hym due, and appoynted by the course of the lawe, and what fees they shall take, and what things they ought to do by reso of theyr office shal appere more playnely here folowyng

The office of Baylyffes of lyberties.

Vpon a precepte made by the Shyrefe to a Baylyffe of a lybertie vpon a wrytte of distres dyrected to the shyrefe to distreine the defendante in the same wrytte, or the Iurrours in any inquest, the baylyffe muste retourne good and sufficient issues vpon the defendant, or vpon the Iurrours yf they haue sufficient goodes or landes within hys Baylywycke, & if he do nat the plaintyfe in the accyon shall haue an auerment that he myght haue retourned greater issues, if ỹ defendãt make default, or ỹ iurrours by ỹ Sta. of 1. E. 3

Capitu.5. And Justycers of the peace muste inquire yf the Baylyffes haue done theyr offyce in that poynte.

¶ Also they must inquire if bailyffes of lyberties whiche be kepers of any gayle enforce any of theyr pryſoners to be appealours to ỹ entente to haue a fine of ỹ parties appealed for doute of impriſonment, primo Edwardi.iii. Capitulo.vii.

¶ Bailliffes of lyberties which take indytementes in theyr tournes, or other where, ought to take thē by indenture, wherof the one partie ſhall remayne with the inditours, and the other with the Bayllyffe. 2. Edwardi iii. Capitu.xvii.

☞ None ſhalbe made bayllyffe of lyberties, except he haue ſufficiēt lande in the place where he is mynyſter, to make anſwere to the kynge and his people. 4. Edwardi.iii. Capitulo.ix.

¶ Bayllyffes of lybertyes whiche be

Gaylours

Gaylours and haue the kepynge of prisōs ought to receyue & safely kepe all theues delyuered to them by the Constables of the townes, beynge indyted, takē with the maner, or appealed of felonye without takyng ought iiii. Edwardi. iii. Capitulo. x.

☞ Bailliffes of lyberties muste receyue suche persons as be arrested in theyr fraunchyse by the Constables, for suspicyon of felonye, that walke in ẏ countrey by nyght, or be of euyl name, and shall kepe them in pryson vntyll the comynge of the Justyces of Gayle delyuere, and in the meane tyme the Bayllyffes muste inquire of them. v. Edwardi. iii. Capitulo. xiiii.

¶ Baylyffes of lyberties, Cōstables and other offycers of townes where loyterers and vagaboundes resorte haue power to examyne them dylygently, and compell them to fynde suerty by suffycyente maitpernours beynge

ynge dystreynable of theyr good behauoure. And if any defaute be founden in the same loyterers and vagaboundes, and can nat fynde suretye, they shalbe sente to the nexte Gayle there to remayne vntyll the comynge of the Justycers of Gayle delyuerye, whiche maye do with thē as they shal thyncke best by the course of the lawe 7. Richardi. 2. Capitulo. 5.

¶ No seruaunte or labourere at the ende of his terme shall departe out of the hundred or Rapewhere he is dwellynge to dwelle any other where onles he brynge a letter patente conteynyng the cause of his goyng vnder ẏ kynges seale therto assygned. And yf any seruaunte labourer be foūde vagarāt without suche letter, he shalbe takē forth w̄ by the shyreffs, Mayres bailliffs or other offycers, & put ī stockes vntyl he finde suerty of retourne to the towne to serue from whence he

came

came, vntyll he haue ſuche a letter to departe for cauſe reaſonable. xii. Richardi. ii. Capitulo. iii.

¶ Bailliffes of liberties haue power to arreſte ſeruauntes & labozers that weare daggers ſwerdes, & knyues: & them to ſeale & kepe vntyll the ſeſſiõs of the peace, and the weapons to pzeſẽt to the Juſticers there with the names of them that beare them, and the weapons ſhalbe forfayte, except they be trauelyng in the coũtre with theyr maiſters, oz in they landes oz buſynes. xii. Richardi. ii. Capitulo. vi.

¶ Shyzeffes and bayllyffes of liberties in theyr liberties are bounden to receyue ſeruauntes & labourers beggynge and vagarante, and them to detayne in pzyſõ without bayle: wout takynge of any fee oz other thynge of thẽ at theyr entre oz departyng by thẽ ſelues oz by theyr deputes vpõ payne of. C. ſ. to the kynge. xii. R. ii. Ca. ix.

Bayllyffes

☞ Bayllyffs of lyberties to whom ye kepyng of the assysse of bread and ale and the correccyon of the same belongeth, shall take no amercyament nor fyne for no defaute touchynge ye sayd assyse for which the offendour ought by the lawe to haue corporal penaunce but they shall adiudge them to the same penaunce. And Bayllyffes of lyberties and all other that haue the kepynge and ouersyght of vytaylles shal put in due execucyon the estatute made in ye.xxxiii.yere of Edwarde the thyrde whiche begineth Quia maior pars populi. &c.xiii.R.ii.Capi.viii.

¶ Bouchers, Fysshers, Hostellers, Brewars, Bakers, Pulters, and all other sellers of vitayles are boundē to sell such maner of vitaylles at a resonable pryce, hauynge regarde to ye price wherat such vytaylles are solde at other places nere, so that they may haue a competente gayne and

nat

nat excessiue accordig as by ẏ dystãce of the places (frõ whẽs the vytailles are caryed) they shal thynke reasonable to be inquired. And yf any sell vitayllꝫ i any other maner & thereof beconuicte, he shall paye the double of that he hathe receyued to the partye endamaged, or in his defaute to any other ẏ wyll sue therfore. And Mayres and Bayllyffꝫ of townes. &c. haue power to enquire of all such as offẽde agaynst this ordinaũce in any poynt And in case that the same Mayres, & Bailliffes be necligent in doynge execucyon of ẏ premysses, and therupon be conuicted by the Justycers assygned by vs, they shalbe cõpelled by the same Justycers to restore the treble value of the thynge solde to the partie greued, or to any other that in his defaute wyll sue & neuertheles shall be greuously punylshed agaynste vs xxiii. Edwardi. iii. Capitulo. vi.

No

☞ No Stewarde, Bayllyffe, nor other mynyster of lordes of fraũchyses whiche haue retourne of wryttes shal be atturney to any person in any matter within the same fraũchyse or baylewyke where he is officer at any maner oftyme. iiii. H. iiii. Capitulo. xix.

¶ If any heynous riotte be made, ye Justicers of the peace, and the shirefe or vnder shireffe ought to do theyr of fyce accordynge to the estatute made 13. H. 4. And yf they do nat, at the sute of the partie greued a Commyssyon shall go forthe to inquire therof, and of the defaulte of the Justycers and the shiriffe, and the Coroner shal serue the processe, and he muste retourne persons that haue lande to the yerely value of. x. li. and shall retourne also xx. s̄. in issues at the fyrste daye, and xl. s̄. at the secunde daye, and at the thyre daye. C. s̄. and so double it at euery daye after. And yf defaute

be in

be in the Coroner in retournynge the
iſſues, or of perſones of ſuche lande,
he ſhall leſe.xl.li. And yf the olde ſhy-
reffe be diſcharged, the newe ſhyreffe
ſhall ſerue the proceſſe, and nat the
Coroner vppon payne of.xl.li. if the
defaute be founden in hym, touchyng
the tourne of other perſones by hym
impanelled whiche haue nat landes
to the yerely value of.x.li. or to retur
ne ſuche iſſues as the Coroners be
charged with. And bayllyffes of ly-
berties are bounden for to impanell
ſufficient perſons, as aboue is ſayde
vpon payne to leſe.xl.li. in caſe that
ſuche perſons maye be founde within
his beyleweke. ii. Henrici. 5. Capi. 8.

¶ Bayllyffes of fraunchyſes ought
to make theyr retournes, and aun-
ſwers vnto the Shyreffe vppon hys
precepte made vnto them in a ſpeciall
wryt of aſſiſe. vi. dayes before the day
of ỹ ſelliõs, vpõ paine to forfayt. xl. l.
for euery

for euery tyme that they shall do the contrary. vi. Henrici sexti. Capitulo. secundo.

☞ Where a precepte is made to the shyrefe by Justicers of the peace to retourne a panell to inquire of forcyble entre, and he sendeth his precepte to ỹ Bayllyffe of ỹ lybertie to returne the panell because ỹ ryotte was done within the libertie nowe is the Bayllyffe bounden to make due retourne and execucon of the preceptes to him directed, vpon payne of. xx. li. for euery defaute. And the estatute wyll that the Shyrefe shall retourne. xx. li. in issues vpon euery Jurrur at the fyrste daye, and that euery Jurrour whiche shall passe in the inquire, shal spende. xl. s. yerely, wherby it semeth that Bayllyffes of liberties are boun dē to do lykewyse, if so many of ỹ said Jurrours be win his libertie, for eis he is nat. viii. Henrici. vi. Capitulo. ỹ

Bayllyffes

¶ Baylyffes of lyberties in attayn-
tes vpon ple of lãde of the yerely va-
lue of.xl.s. or more, nor in attayntes
for dedes concernynge landes of lyke
value, nor in attayntes vpon perso-
nall accyons wherein the recouerie ex
tẽdeth vnto.xl.li. or more shall nat re
tourne or impanell any persons in
such inquest, but those ẏ be dwelling
within hys baylywike, and that haue
estate to theyr owne vse in landes or
tenemẽtes for terme of lyfe to the ye-
rely value of twenty pounde or more
within hys Baylewike out of auncy-
ent demesne and the fiue portes. And
at the fyrste daye of the dystresse re-
tourned, shall retourne no lesse issues
in suche accyons of attaynte, than.xl.
s. and at the secõde dystres. C.s. And
the double of euery other dystres vpõ
the persõs so impanelled and retour-
ned. And yf he do the contrarye, he
shall pay.x.li. to the kyng ẓ as much

to the partie. 31 Henrici sexti. Capitulo quinto.

¶ Baylyffes and other the kynges offycers may arrest those souldiours that come from the see and shewe nat letters testimonials from theyr Captaynes that the haue lycensed them. And they shall kepe them vntyll they haue enquired whither that they had lycence or nat, & yf the haue no suche lycense, then shall they be punyshed as felons. xviii. H. vi. Capitulo xix.

¶ No Baylyffe of a lybertie (vpon any precepte to hi directed to returne the panell of any enquest) shal in the same retourne any baylyffes, officers or seruauntes to any offycer abouesayde, nor shall take any thyng by thē selfe or by other of any persō by them arrested or attached to theyr owne vse or aueyle, nor of any other person for any arrest or attachemēt by ꝑ bodye made by them, or that is arrested by

by vertue of theyr offyce, for fyne, fee, suyte of prylon, maynpris, lettynge to baylle, of shewynge of any ease or fauour to any person so beyng arrested for theyr rewarde or profite, but as is here lymytted, that is to wete for the Shyreffe.xx.d.the Baylyffe that makes the arreste.iiii.d.and to the gaylour yf the prysoner be commytted to hym.iiii.d. And no Bayllyffe of any libertie, nor Coroner by him selfe nor by other by colours of his office shal take any thynge for the makynge of retourne or panell, and for the coppye of a panel but.iiii.d. Also Bayllyffes of lyberties shall let out of pryson all persons by them arrested or being in theyr kepynge by force of any bylle, wrytte, or warrant in any accion personall, or by force of any indytemēt of trespas, vpon reasonable suertye hauing sufficiēt within the Baylewyke wher they be let to baile, to kepe their

dayes in the ſame places as the ſame
bylle, wrytte, or warrant ſhal inquire
thoſe only excepted, which be i warde
vpon any condempnacyon, or be ex-
comunicate, or outlawed, or arreſted
vpon ſuertie of the peace, and vaga-
raũtes that refuſe to ſerue. And that
the ſayd Bayllyffes ſhal nat take any
oblygacyon of any perſon, nor by any
perſõ beyng in theyr warde by courſe
of the lawe, for any the cauſes aboue
reherſyd, but in ỹ name of theyr office
and vpon the cõdityon that the ſame
perſons ſhall appere at the dayes cõ-
tayned in the ſayde wrytes, bylles, or
warranties, and in ſuche places as
they require. And yf any Bayllyffe
take any oblygacyõ in any other four
me by coloure of his offyces, it ſhalbe
voyde, and that he ſhall take no more
for the makynge of any ſuche obliga-
cyon, warrantie, or pcepte by them
to be made, but four pẽs. And yf they
do

do contrarye vnto thys ordynaunce in any poynte, for so doyng they shall rendre to the party greued his damages treble, and shal forfayte for euery tyme that they do the contrarye. xl. li. the one halfe where of shalbe to hym that wyl sue in any of the kings courtes therfore. &c. xviii. Henrici sexti. capitulo decimo.

¶ Bayliffs of liberties ought nat to sease the goods of any persõ arrested or imprisoned for felonye, before that they shalbe conuicted or attaynted of the same felonye accordynge to the lawe, orels that the same goodes be otherwyse forfayted, vpon payne to forfaite ỹ double value of the goodes so taken, vnto the partyes endamaged, suinge therfore by accyon of det, wherin no wager of lawe, essoygne, nor protection shal in any wyse be allowed to the defendaunt, primo Richardi secundo. capitulo. tertio.

☞ Baylyffes of lyberties ẏ be gaolers and haue the kepynge of gaoles, shal certifye the names of euery prysoner in his gaole that is there for felonye, at the next general Gaole deliuere in euery countye or fraunchyse (where such gaole is) to be kalendred before the Justices of the same gaole delyuere, vpon payne to forfayte for euery defaulte there recorded. C. s. An. tercio Herrici. septimi Capitu. 3.

¶ All Bayllyffes & other heed offycers, and euery of them fyndynge or knowing any person vsinge or exerising any vnlawefull games contrary to the statutꝭ haue power to cōmytte euery such offēdour to warde, & there to remayne in prison without bayle, or mainprise, tyll suche tyme as he be bounde by obligacion in suche sum, as by dyscrecyon of him that taketh the bounde semeth reasonable, to the kyngꝭ vse, that he shal play no more.

Anno

An.sexto Henrici octaui Cap.secundo.

¶ All statutes made agaynste Shyreffes, vnder Shyreffes, Baylyffes, or other ministers for makinge or retournynge of panels, or iuries, or for due execucion or seruinge of writes, or other proces, or for takynge of fees or for the reformacion of extorcyons, or for any other thynge concernynge theyr office, and all paynes contayned in euery suche estatute, shalbe extended to all Stewardes, Baylyffes and other ministers . and officers of lyberties and fraunchefes hauing retourne of writtes, & execucyon therof in lyke maner as they extende to shyreffes, theyr vndershyreffs, Bailiffes or other mynysters, sauyng that the Baylyffes, and officers of lyberties maye occuppye theyr offices for as long tyme as they shalbe gyuen vnto them. Anno.xxvii. Henrici octaui. Capitulo.xxiii.

The office of Escheatours.

YE shall enquyre of Escheatours, yf they haue duely executed they office, and yf they haue taken any more for doynge there of then they ought, or yf they haue committed and done any extorcion, or oppression vnto the kyngs people by coloure of theyr office. And therfore ye shal vnderstande that no Escheatour ought to medle, or inquire for ỹ kyng but in case where the kynge of right ought to be entyteled and haue the lande or thynge that is foũde for him be the enquest, for yf one holde of the kynge as of his duchie of Lancastre by kyughtes seruyce, & dye hys heyre beynge within age, the kynge ought to haue the warde of ỹ heyre, and the lande. And yet in that case yf the Escheatour

cheatour fide it by office, he shal haue nothinge for the findynge therof, bycause the tenant helde nat of the kyng in cheife as of his Crowne. And therfor the kynge may entre and sease the lande and the heyre without office, & may graunt it. In lyke maner yf the Escheatour fynde by office that one dyed seasyd and helde of other lordes and nat of the kynge by knyghtes seruyce, and that he is deade & hys heyre within age, the Escheatour shall demaunde nothing of ryght for finding of suche an office. And so yf he fynde an office that one died seased of suche a manour in fee, and held of the kyng as of suche an honoure of Castell by knyghtes seruice, and his heyre within age: yet ought nat the Escheatour to haue any fee or dutie for the fyndyng of that office, and if he take any thing therfore, it is extorcion, which is well prouyd by a wryt of (diem clausit extre

tremum (the worde wherof be these Quia Georgius Fer qui de nobis tenuit in capite die quo obiit, diē clausit extremum, vt accepimus, ideo tibi precepimus. &c. Wherby it appereth that yf one holde nat of the kynge in chiefe, the Eschetour ought nat to haue the fee of forty shyllynges for fyndynge of the office. And yf he take it in that behalfe it is Extorcion.

☞ And in assise yf the defendant say that the landes are seased into ỹ kynges handes by ỹ Eschetour, and the Escheatour beynge there present and examyned by the Justices there vpon do confesse that he hathe seased the landes in to ỹ kynges handes where in dede he hathe nat so done: in thys case the Eschetour doth wrong to the plaintyfe, which may haue no accyon vpon his case againste the Eschetour for his falsed, and for the delaye that he hathe susteyned throughe that cō-

fessyon

session by suyenge to the kynge for as (Procedendo.)

¶ None shalbe Shubeschetour, onles he haue suffycient lãdes in those places where he is officer to aunswere to the kyng and his people, in case that any wyll complaine agaynste them. Anno quarto Edwardi. tertii. Capit. nono. Anno. b. eiusdem. Capitu. iiii.

☞ The Escheatours shalbe chosen euery yere, as the Shyrreffes shalbe, & by the same persons ỹ chose the Shirreffes. And that no Eschetour shall abyde in his offyce aboue one yere. An. viii. Edwardi tertii Capitulo. 4.

¶ The Eschetours shal nat do waste in Byshoprykes, and other places durynge the vacacyon of them, neythe, shall sell vnder wodes, nor chase in parkes or warrẽs, nor fyshe in põdes, or fre fyshynges, nor maye take no fine of any tenemẽtes fre nor bõde but shal cause thẽ to be kepte & saued

with

without doynge damage or any maner of oppression An. xxiiii. Edwardi tertii. capitulo quarto.

¶ So by thys estatute it apperythe that it appertayneth to the office of an Escheatour to seaise the temporalytes of Archebyshoprikes, Byshoprikes and Abbeis of the kyng in foundacyon, durynge the vacacyon of the saune, and to take the profites, and to accompte for them to the kynge in the Escheker. Howe be it there is another estatute made in the same yere, the effect wherof is, that if the, Dean and chap, Priour, or Suppriour, wyll take temporalties to ferme, payenge the value accordynge to the remembraunces in the Escheker, that they shall haue the before any other. And by an other estatute made the same yere Capi. quinto the Chauncelloure, Treasorer of the Escheker takynge to them suche other of the counsell, as

they

they ſhall thynke good, ſhall leaſe the vacacyons of Archebyſhopꝛikes. By ſhopꝛykes, Abbeis, Pꝛioꝛies, and o-ther houſes of relygyon (thaduoidãce whereof belong to the kige) the Dean and Chapitre, Pꝛiour, oꝛ Suppꝛiour Pꝛioꝛes, oꝛ Suppꝛioꝛes, and Couent at a certayne rent to paye by the yere, quarter, oꝛ moneth, durynge the va-cacyõs as they ſhall thynke beſt, with out makynge fyne. And neyther the Eſchetour, noꝛ any other offycer ſhall ſeke cauſe oꝛ matter, to enter, oꝛ to medle, oꝛ do any thynge in pꝛeiudyce of the churche. Sauynge to the kyng and hys heyꝛes knightes fees aduou ſons, Eſcheates. Wardes, Mariages Reliefes, and ſeruyces to the ſayde fees belongynge. In wytnes wherof the kynge cauſed his letters patentes to be made therof, datyd at Weſtñ. the eyght day of Apꝛil the yere aboue mencyoned, whereby it appereth that

the

thauctorite aforesayd to make leasses was gyuen to the Chaunceller and ye Treasorer by the Kynges letters patentes. &c. Anno. xiiii. Ed. iii. Cap. vi.

¶ Theschetours and other the kynges mynysters must accōp in thescheker after this maner, that is of lands and tenementes wherof profyte aryseth from tyme to tyme throughe out the yere as of Mylnes, herbages, tolle, plees, profytes of courtes, or such other issues & profites, they shal be bounden to answere the Kynge for the rate and value of the tyme accordyng to the olde course of thescheker And touchynge auncyēt fermes and rents, that are to be payde at certayne termes as Rent seck, & rent Seruyce wherof no profyte aryseth vntyll the daye of payement: suche rentes and fermes shalbe payde vnto them that haue lyuere therof out of the kynges hande at the termes of paymēt of the

sayde

layd fermes & rentz next folowig such lyuere made, aswell for ỹ tyme passed as ỹ tyme to come. An.28.E.3.Cap.4.

¶ The kynge and his progenitours haue ben sealed of forfayturz of wardes, tyme out of mynde that is aswell of landes & possessions, as of goodes and catelles. And by colour therof thescheatours by thez office haue sealed many laudes, and tenementes as forfaytz to the kinge, surmising treson in some persons beynge deade at the tyme of the sealer, whiche neuer were attaynted in theyr lyues, the kynge hath ordayned touching suche forfaytures that fel in the tyme of his graundfather or before, that so sone as an inquest thereof shalbe retourned into the Chauncerye by any Escheatoure or other that hathe power to enquire thereof, the tenaunt shall nat be put out of possessyon, but shall be warned by a Scire facias

to

to appere at a certayne day for to aū-
swere vnto the same, yf he wyll. And
yf no suche forfayture be founde the
kynges hande shalbe closyd, so that
in all other cases of forfaytur⁊ of trea
son by persons deceased nat attayn-
ted, nor iudged in theyr lyues, theyr
heyres nor lande tenauntes shall nat
be challenged nor empeched of any o-
ther forfaytures, but of those onelye
that haue bene iudged in tyme passed
afore the death of certayne persons,
by presentment in Eyre or in the kyn-
ges benche as of felons of the kynge
& other. And therfore it semeth that
yf one moue warre agaynst the kyng
in hys realme, and is slayne in ȳ same
then the Escheatoure maye sease the
landes and tenement⁊, as forfayture
of warre without any other enquerie
to be made therof.

¶ Euery Escheatour must take hys
inquestes of office of good & lawfull
men

men ſufficient of inheritance, and of good fame, and of the ſame countye where the inquyze ſhalbe made. And the iqueſtes ſhalbe indented bytwene theſchetours and the Jurrurs, and yf it be otherwyſe done, they ſhalbe voide, and they ſhalbe taken in good townes openly.

¶ Trauerſe may be take to theſchecours offyce, wherby any alyenacyon oz dyenge ſealed oz ỹ the heyze is wtin age, & the lande holden of the kyng in chiefe is founde.

¶ Landes ſealed in to the kyngz hãdes by reaſon of warde, ſhalbe kepte without waſt. And theſchetours ſhal haue no fee of benifõ, fiſhe noz other thynge, but ſhall aunſwere the kynge of ỹ iſſues and yerely pzofytes arryſinge of the ſayde lãdes without waſt And if he do otherwyſe, then to make fine at the kinges wyl, and to pay treble damages at ỹ ſuyt of the heyze, as

well within age, as of full age. And if he be within age, his frendes shall haue the suit for him aunswerynge to the heyre of that, that so shalbe recouered of him. Concernynge other lãdes seased into the kinges handes by inqueste of offyce by theschetour this forsayde ordinaunce and ponishemẽt shall holde place agaynst theschetour And if any make clayme to landes so beynge seased, theschetour shall retourne an inquest into the chaunce=rye within one Moneth after suche seaser, so that a writte be deliuered to him, to certifye the cause of the seaser and there shall the partie be harde to trauerse the offyce, or otherwyse to shewe hys ryghte. And the Chauncellor vppon his owne discrecion (yf he se cause) maye leasse the landes to the tenaunte payinge to the kynge ỹ value/if it belonge to the kynge, so ỹ he fynde suertye, that he shall do no waste

waſte, vntyll it be adiuged. And the Eſcheatours ſhall take theyre Inqueſtes in good townes, & by honeſte men openly by Indēture to be made bytwene theſchetoure and them of the inqueſte. And if he do contrary to this ordinaūce: thē to haue two yeres imprisonmente, and further to make fyne at ỹ kynges pleaſure. An.xxxvi. Edwardi.iii.capitulo.xiii.

¶ None ſhalbe Eſchetour, yf he haue nat.xx.li.lāde at the leaſte or more in fee, and that they execute theyr office in proper perſon. And yf he be otherwiſe, then to be put out, wherby it appereth that the Subeſcheatoure cannat enquire, nor fynde office. An. xli. Edwardi.iii.capitulo.v.

¶ Eſcheatours nor commiſſioners ſhall nat take Inqueſte, but by thoſe that be impanelled & retourned by ỹ ſhyryf, & if they do otherwyſe & be cōuicte by examinaciō or otherwiſe at ỹ

sute of the partye, or of the kynge, or any other person that wyll sue: they shall encure the payne of .xl. li. the moyte to hym at whose suyt they shal be convicte. And that no landes seased into the kynges handes shalbe let to ferme by the chauncellour, vntyll ỹ inqueste and verdytes be retourned into the chauncery, and by one moneth after the same retourne, excepte it be to the partye greued whyche was put out of those landes by ỹ inquestes, and wyll offre to trauerse them, and shewe good euydence, and fynde suffycient surety to sue hys trauerse with effecte, and to paye to the kynge the yerly value of the landes if it had to be discussed for the kynge And if any letters patētes of any lādes or tenemētes to the contrary be made to any other person then to him that offereth to trauerse, or be let to ferme with in a Moneth nexte to the

sayde

ſayde Moneth of retourne they ſhall be voyde and holden foꝛ none. Anno. viii. Henrici. vi. capulo. xix.

¶ Eſcheatours and commyſſyoners ſhall retourne the inqueſtes takē beꝼoꝛe thē into the Chaucery, oꝛ in theſchequer within one moneth nexte after the takyng of the ſame, vpō payne of. xx. li. the one moyte to the kynge, the other to hym that wyll ſue. Anno. viii. Henrici. vi. capitulo. xix.

¶ And yf any Eſcheatoure take any office beꝼoꝛe hym, and do nat retourne the ſame into the chaũcery oꝛ theſcheker, within the moneth nexte after the takyng therof, he ſhall incurre the payne of. xl. li. foꝛfayte by the ſtatute made. An. viii. Hen. vi. and further ſhalbe boũden to pay to the king as muche as he is endamaged by the nat retournyng of the ſame. And that the chauncellour of Englande callig to hym the Treſoꝛer of Englãde may

lease suche fermes for the due execu=
cyon of the sayde Estatute. Neuer=
theles it appereth that the same estа=
tute gyueth but .xx. li. of forfayte a
gaynst theschetour, or Commissioner
Therfore serche for the true recorde
of both the statutes. An.xviii.Henri.
vi.capitulo septimo.

¶ Escheatours muste take theyr in
questes of office by vertue of the writ
tes of (diem clausit extremum) and all
other wryttes within one moneth af=
ter the receyte of the same, and that
suche inquestes be take in good tow=
nes and open places. And that none
of thē pryuely nor openly by hym selfe
or by other take any thyng for the ex=
ecucion of suche writtes in one cōtte
aboue the sūme of.vi.s.viii.d.or. xiii
s.iiii.d. or vnder with hys laboure
and his costes so that the summe that
he hath taken all togither excede nat
aboue.xl.s.for ȳ execuciō of any such.

wryt

wrytte in one countye. And yf he do contrary to the premisses, then to forfayte the summe of.xl.li. the moyte to hym that wyll sue for the kynge and hym selfe. An.xxiii. Henrici sexti capitulo decimo septimo.

¶ None shalbe Escheatoure, yf he haue nat landes or tenementes to the value of.xx.li. within the countie for terme of lyfe, nor in the countie wher he is Eschetoure. Nor no Escheatur shal let hys office to ferme, nor may deputie (other then he wyll at hys parel aũswere for) whose name he muste certifie by his letters patentes to the Tresorer and Barons of the scheker for the tyme beynge within.xx. dayes after suche deputacyon made. And yf nó suche deputie take vpon hym to occupie in the sayde office onles the escheatour haue landes tenementes or rentes to the yerely value of.xx.li. as before is sayde. And if any psõ do con

to the premysses or any of them, then to forfayte for euery defaute.xl.li. the one moyte to hym that wyll sue, and the other to the vse of ỹ kynges house by accion of dette, where no wager of lawe essoyne or protteccyon shall lye. Anno.xii. Edwardi.iiii. capitulo.ix.

¶ No shyryffe, Eschetour, nor othere person shall sease or take ỹ goodes of any persõ arrested or imprisoned for felony before that the same person so arrested or imprysoned be conuicte, or attaited of the same felonye accordig to the lawe of Englande, or that the same goodes shalbe otherwyse forfaited, vpon payne to forfayte the double value of the goodes taken to the partye damaged sueynge therfore by accyon of det, where no wager of law essoyne nor protteccyon shal lye. Anno i. Richardi.iii. capitulo.iii.

¶ If any Eschetour, or Commyssioner put into any of the kyngs courtes,

any

any inquisicion or office concerninge landes or tenementes, or other hereditamentes, nat founde nor presented by ỹ othes of twelue men, & indented and by them sealed, then to forfayte for euery suche office retourned, and put in to any of ỹ kyngs courtes one C.li. to the partie greued. An. iii. H. viii. capitulo secundo.

¶ No Eschetour nor other commyssioner shal set by vertue of any Commission to enquyre of landes and tenementes, except he haue landes, or tenementes, or heredytamente to the yerely value of. xl. Marke ouer all charges vpon payne of. xx. li.

¶ The Escheatours and commyssioners shall be dyscharged by theyre othes that they may nat dyspende. xl. Markes ouer all charges, and that vpon proces made agaynst them out of the Escheker. The Eschetours & commyssioners shall set in opē places

and shall suffer euery person to gyue euydence openly in theyre presens to the inqueste taken before them vpon payne of.xx.l.

¶ The Jury shall receyue the counterpayne of the indenture that shalbe presented, indented and seased by the Eschetour or Commyssioner, and to rest in the possession of the fyrste man that was sworne in the same Jurye, vpon payne of eury person that shall be sworne.xx.s.

¶ And euery Escheatour, and Commissioner after ẏ the Jurye is sworne and redy to giue theyr verdit, and offre to presente the same, that the same Escheatours or Commyssyoners, or parte of them shall receyue the same verdit without further delaye vpon payne of a.C.li. and deliuer the counterpayne of the same indenture to the Jurye in fourme before sayde vppon the same payne.

And

¶ And if the Clerke of the petit bagge, or hys deputye wyll nat receyue suche offyces, and put it into the files to remaine of recorde within thre dayes after it be resceyued or offred to be resceyued, he to forfayte for euery suche defaultes.xl.li. And the Commissioner, and Eschetoure to be discharged of the penaltie of.xl.li.lympytted by the Statute for none retourninge of the same offyces, or inquysycyon within one Moneth.

¶ And lyke lawe and penaltie to be agaynste the offycers in the kynges Escheker whyche oughte to receyue suche inquisycyon, for refusynge so to receyue thē. And the cōmyssyoners, & Eschetours to be dyscharged of ẏ penaltye for none retournyng of ẏ same inquisicyon, so ẏ the sayd Eschetours or cōmissioners at any tyme after the moneth of suche office before thē foūd or before any of thē ẇ in an other moneth

then nexte ensuynge, returne the sayd offyce into the Chauncery, or Escheker, as the case shall require. And the clerke of the petit bagge to certifye ȳ transcript of euery suche offyce taken before any commyssyoner, or Escheatour, into the Escheker the nexte terme folowing the resceyte therof, vpō payne of a .C.s. for euery such defaut

¶ And no man be compelled to occuppye the offyce of Eschetour by any patente ouer one hole yere, and ȳ he ȳ is ones Escheatour shall nat be Escheatoure agayne with in thre yeres nexte after the sayde hole yere ended.

¶ If any Escheatoure exercyse hys offyce by reason of any patent ouer ȳ tyme of an hole yere ended, or be made Escheatour with in thre yeres after: then after the sayde hole yere ended hys patente so made to be voyde and the party greued shall haue hys recouerye of euerye of the sayde forfaytours

faytures of one hundreth pounde, by accion of det, where no wager of law essoyne nor protection to be allowed There be diuers prouisiõs made for diuers Eschetours in Cytes, and Borroghes, and in dyuers counties.

¶ And if the landes, or tenementes of any man be sealed into the kynges hande by vertue of any office founde before the Eschetour, or commyssyoner, or by reason of any other recorde founde in the chauncery, or thescheker, and he that so is put out of hys landes by reason of suche recorde, or office so founden come and trauerse that recorde or office, and it is found for hym: where vpon he hath his iudgemente that the kynges handes be closed and amoued: nowe yf it so be that ther be an other recorde or office foũde remaynyng amongest ỹ kyngs recordes whiche is nat trauersed nor tried, yet shall nat thescheatour seale ỹ landes

landes againe into the kinges hādes by reason of that recorde beynge fou-de & nat trauersed. And yf he do, then dothe he wronge and Extorcyon, and the partie ỹ is put out shal haue assi-se agaynst him and shal recouer dou-ble damages against him. But in thȳ case the king must sue a Scire facias agaynst him ỹ hath the landes out of hys handes, vpon thys other recorde or office ỹ was nat trauersed before. This is giuē by the statute Lincolne called the statute of Eschetours. An. xix. Edwardi secundi.

¶ And if Theschetour by coloure of his office without warrant or aucto-rite of the lawe that belongeth to his office disseise any man of his landes or tenementes: the partie that is dis-seysed shall haue an assyse of Nouell disseison, and shal recouer double da-mages agaynst theschetour. Westm. i. capitulo. xxvi.

¶ The Escheatours hathe no power to amerce any man that aperethe before hym, and mysdemeaneth hym selfe, or if the Jurrours that be lomoned appere before do make defaulte, he shall recorde suche thynges in hys rolle, and shall nat amerce the Jurrours, but he shall sende the same recorde to the Justyces in Eyre, or to the Justyces of Assyse, when they come into the countre.

¶ It shalbe lefull to ỳ shyrrife, Justyce of peas and Escheatours to sease to the kynges vse all such goodes and cattelles that suche persones as come with in thys realme ỳ be called Egyptiãs haue, & therof to make accompt to ỳ kynge in his escheker, & to retayne & kepe ỳ moyte therof to hys owne vse & accõpt for ỳ relydue, & to paye no fees for the accompte nor for hys discharge therof.

¶ The offyce of Constables.

Forasmuche

FOr asmuch as ỹ office of a cõstable was an office at ỹ comẽ law, of long cõtinuãce & was first ordeyned for ỹ cõseruacyõ of ỹ kynges peas to be had & kept i euery towne amõge ỹ kyngs subiectes there dwellynge some what shalbe spoken. And how ferforthe theyr power dothe extende, and what penalties are prouided agaynste them, for nat executynge theyr offyces.

¶ Who were conseruatours of the peas at the comen lawe.

IT is nowe to be seene for the conseruacyon of the peace, what persons by the comẽ lawe had auctorite therin, before the makyng of the estatutes wherby Justycers of the peace are ordined. And it semeth that by ỹ comen lawe diuers persons were cõseruatours of the peace: for at the comẽ lawe there was one yson whiche

is called chiefe Justyce of Englande to whome the kynge commytted hys auctoryte in the mynistracion of Justyce for thynges touchynge hys corone, and for the conseruacion of hys peas amonge his subiectes throughout al his realme. And that is prouid by the wryt whiche the kynge sendeth to hym that he shal holde his place in the ministracion of Justice to hys subiect, in ỹ fourme aboue sayd throughout al his realme, wherby it doth appere that the same chyefe Justyce is highe cõseruatour of ỹ peas throughout al the counties of Englande, and in euery part of the realme where he goeth. Also ther be othere persons cõseruatours of the peas throughe out the realme, as the Steward of Englande, the Marshall, and the Cõstable of Englande. Also the constables of euery towne were & be kepers of the peas by the comẽ lawe, lykewyse

the hyghe constables of hundredes, wapentakes, lathes, or tithings were and be conseruatours of the peas by the comen law within the townes or hundredes and within theyr lymittes And before the makynge of the statutes whereby Justicers of the peas are ordayned, the kinge by his cõmission made conseruatours of the peas in those counties & places (where hym thoughte beste to kepe his peas. And the auctorite whiche conseruatours of the peas had by the comen lawe, is the same auctorite that a Constable of a towne or wapentage hathe at thys daye, the which I shall partly thuche ¶ It one make assault vpõ the constable, the constable may defende him and maye take hym and commyt him to the gayle vntyl he haue foũd suertye to kepe the peas, though that the assaulte were made vpon hym selfe. As it apperyth Wicha. quinto. Henrici

ctci septimi, in the title Barre. Much moze then, yf a constable se one makynge assaulte vpon a straunge person, may he take him, and commytte hym to pzison, oz to the gayle, vntyll he haue founde suetye to kepe the peas.

¶ And yf one man thzeate another whereupon he that is thzeatened cometh to the Constable, and sheweth his matter, and pzayeth hym to cõpel hym that so thzeatened hym to fynde suerty: in thys case the Constables and the partye that is thzetened maye goo, and compell hym that soo dyd make such thzeatening to fynde suertye to kepe the peace, and yf he wyll nat, they may cõmytte hym to warde vntyll he hathe founde suche suertye as you maye see. M.r. iiii. Edwardi tertii, in the tytle of Barre.

¶ And if one be stryken in parell of death, it is the offyce of ỹ Cõstable of

the towne to arreste the offendour, & to kepe him in prison, vntyl it be knowen whether the partye so strikē wyll lyue or dye, or vntyll ỳ he haue founde suerty to appere before the Justicers of Gaole delyuere, or at such tyme as he shall be called vpon to appere before the Justicers at theyr discrecyon

¶ And yf one flye for felony it is the office of the Constable of the towne to sease his goodes and to kepe them and yf they happe to be impayred in his kepyng, he shal answere for them to the kyng. ii. Edwar. iii. in the Eyre of Northampton, But by the statute made. i. Richardi tertii. capi. iii. that is changed. And yf felons or murderers be in the towne, and the Constable haue knowlege therof, yt is hys office and duetye to assemble people for to take them.

¶ And if one take a felon in ỳ towne and bring him to the Constable to be con-

conueyed to the gaole, the constables offyce is to carye hym thyther, and to cause other of the towne to ayde and assiste hym in so doinge.

¶ And note that Constables were ordayned for two intentes, that is to witte to kepe the peas, and also to represse felons, to take suertie by obligacyon of suche persons as they shall fynde makynge affrays.

¶ It apertayneth to the offyce of the chefe Constable of Englande to haue conusaũce of dedes of armes & contractes touchinge dedes of armes and of war out of the realme, and in lyke maner of thyngs touchig armes win ỹ realme, which can nat be determyned by the comen law, as it apperyth clerely by the statute made the. xiii. yere of Richarde secunde. cap. ii.

¶ Also it appereth by ỹ statute made An. i. H. iiii. ca. xiiii. ỹ al appeal to be made of thigs done out of the realme

of Englande ſhalbe tried, and deter-
myned before the conſtable, & Mar-
ſhall of Englande for the tyme being
¶ Alſo when bataille is ioyned in a
wryt of right or in Appeale, that ſhal
be derayned before the conſtable and
Marſhal, howe be it the Juſtic̃ muſt
ſe the batatle done, by cauſe that they
be properly Judges therof and nat
the conſtable, nor the Marſhall.
¶ And the conſtables, haue manye
other auctorytes aſwell by the comen
lawe, as by eſtatutes made ꝑ whiche
you maye ſee there'.
⚜ In. vii. Ed. iiii. it is ſayd that Gar
deyns of the peas at the comen lawe
maye inquyre of congregacyons and
vnlawefull aſſembles, and of diſſea-
ſon with force, but nat of entres with
force. But nowe by the ſtatute, yt one
entre with force, or do dyſſeaſon with
force, or entre peaſable, and kepe
poſſeſſion with force, the Juſtyces of
peas

peas maye make restytucyon to the partye, and put hym in possessyon by theyr wrytte directed to the Shyrysse ¶ Constables in the townes where they beare offyce, may arreste mẽ that go or ryde armed in fayres, or markettes by daye or by nyght, and take theyr armour as forfayte to the kyng and imprison them at the kings pleasure. An. ii. E. tertii. at Northãpton. ¶ The kynges purueyours oughte to make theyr purueiãce for the kynges house, by the constable, and foure honest men of the townes where such purueyaũce shall be made, without threatenynge. And in presence of the Constables, tayles shall be made and sealed with the seales of the takers, betweue the sayde takers, and the parties of whõ the goodes be taken. And yf any Taker make hys prise otherwyse, it shall be done with hym as with a theke. An. xxii. E. iii. cap. i.

¶ Cõstable of townes muste arreste such as passe by nyght, of whome suspeccyon is had, and deliuer them to ỹ Shyrefe, there to remayne in warde vntyll they be duely delyuerred. Also they muste arreste suche as be called Robberdes men, Whasters, & Drawe latches (yf suspeccyon be had of any suche) be it by nyght or daye, and delyuer them to the Shirefe vntyll the commynge of the Justycers of gaole delyuer. An. v. Ed. iii. capitulo. xiiii.

¶ It is ordeined that none shal take for thrysh'nge a quarter of wheate or corne aboue two pens. ob. and for a quarter of barly, beanes, pees, & otes. i. ō. ob. yf so muche haue bene vsed to be gyuen, and in the countrey where they vse to reape by ỹ sheke, & threshe by the bushel, they shall take no more nor otherwyse. And that suche laborers and other seruaūtes shall make an othe two tymes in the yere, before

Lordes

Lordes, Stewarde, Bailliffes, and Constables of euery towne, to do and kepe this ordynaunce, and that none of thē shal go out of the towne where they dwelled in winter for to serue in somer (yf he can haue seruyce in the saime towne) sauinge to the folke of ỹ counties of Staffordе. Darby, Lancastre, Crauen, and the Marches of Wales they⁊ free lybertie to laboure in other countreis in the tyme of Auguste. And they that refuse to make suche othe, or to perfourme that thige that they haue swo⁊ne & taken vpon them, shalbe put in the stockes by the sayde Stewards. Bailliffes, Constables, of townes, by the space of thre dayes or more, and shalbe sent after to the nexte gaole, & there to remaine vntyll they wyll be orderyd, and that there be stockes in euery towne for ỹ same intent. And ỹ Stewards Baylyffes, and Constables, shall make

othe before Justicers assigned to enquyre diligenly of all thē that offende against this ordinaunce, and to certyfye theyr names before ỹ same Justycers when they shall come into the countre, to kepe theyr sessions, vpon whiche certificat made ỹ same Justicers shall cause thē to be attached by theyr bodies to appere before the said Justycers, to aunswere vnto suche contemptes, so that yf they be atteinted, they shall make fyne & raunsome, and further to be cōmaunded to prison vntyl they haue foūde suertye to serue in maner aboue sayde. And the Justycers at euery tyme ỹ they shall come into the countrey, shall enquyre of Stewardes, Baylyffes, and constables whether they haue made good and lawfull certifycat or haue councealed ought for any gyfte, procuremēt, or affinyte, and shal punishe them by fyne and raunsome, yf they

be

be foũde gyltie. Anno.xxv. Edwardi tertii capitulo secundo and octauo.

¶ Constables of townes where as faytours, or vagaboundes resorte haue power to examyne them dylygently, and cõpell them to finde suertye of theyr good behauour by suffycyent maynpernours distreynable in case that any defaulte be founden in suche faytours, and vagaboundes. And yf they can fynde no such suertie then to be sent vnto the nexte gayle there to remayne vnto the commynge of the Justycers of gayle delyuere, which haue auctoryte to do with such faytours and vagaboundes as they shall thinke best to be done by ỹ lawe Anno primo Richardi secundi cap.v.

¶ Constables of townes maye arreste any seruaunt laborer commyng to the towne, from any place vagaraunt, oneles he haue a letter conteinyng the cause of his goyng, and the

tyme

tyme of his retourne, vnder the kynges seale that therto shalbe assigned and deliuered to the custodie of some honest man of the Hundred, Wapentake, Citie, or Boroughe accordynge to the discrecio of the Justices of peas. And the Constable maye put hym in the stockes, and kepe hym vntyll he haue founde suertye to retourne to hys seruyce, or to serue in the towne from whense he came, vntyll he haue a letter to departe vpon cause reasonable Anno.xii. Richardi.ii.capitulo.iii.

¶ Constables haue power to arrest, seruauntes and laborers that beare aboute them hangarde, dagger, or knyfe, and to sease the sayd weapons as forfayte, and them to kepe vntyll the Sessions of the Justices of peas before whom they shall present suche weapons with the names of thē that bare them, excepte that the traueyle in the countre in theyr maysters mes-

sage

sage Anno. xiiij. Richardi secundi capitulo sexto.

¶ Shyrysses and other the kynges ministers may take the power of the countrey to represse assembles, and ryottes in outragyous nombre, and to commyt them to prison. Anno. xvij Richardi secundi capi. octauo. It semeth by these wordes (the kyngs mynysters) that Constables of townes haue power to do so by thys acte alwell as the Shyrysses.

¶ Constables maye arreste seruaūtes labozers, and imprison them by ye space of syxe dayes, which bie nat bowes aud arrowes vpon Sondayes, and such other Festeual dayes, which wyll nat leue vtterly all playenge at the ball, alwell with hand as wt foote and other games called coytes, dyce, castinge of the stone, keyles, and all other lyke impoztune games An. xi. Henrici quarti capitulo quarto.

¶ Cõstables and all the kyngs liege people that are able to trauyll win the countye muste be assystynge and aydynge to the Justycers of peace, and the Shiriffes to repzesse greate ryottes, and vnlawefull assembles, vpon payne of imprysonment and to make fyne and raunsome. Anno secundo Henrici quinti capitulo. viii.

¶ Constables shalbe made in euery partye of the marches of Wales, and market townes to enquire, serch and arreste suche persons that carye bytayle oz armour to any parte of Wales, without the kinges lycence, whiche constables shall haue the syxte parte of the forfayt foz theyz traueyle Anno quarto. H. quarti capi. xxvi.

¶ Cõstables of porte townes (where souldiours that haue bene retayned in wages to serue in warre beyonde the see, oz vpon the see, and departe from theyz Cappytaynes, and tourne

backe, & arryne in any porte of Eng-
lande without lycence of theyr capi-
tayne vnder hys seale) maye arreste
suche souldiours, and kepe them vn-
tyll enquerie be made of them, and yf
it maye be proued by enquerye before
Justycers of the peace, and proues
that they haue mustred of recorde, &
departed frō theyr cappytayne (as be-
fore is sayde) without lycence, then
they to be ponyshed as felons. Anno.
xviii. Henrici sexti capitulo. xix.

¶ The constables Tithingmen and
chiefe pledges of euery towne muste
assyste and ayde the owners and sel-
lers of any goodes (where the kinges
purueiors wyl make their purueiãce
or bargaine of any goodes to the va-
lue of forty shyllyngs or vnder of any
person) and wyll nat paye present paye-
ment in hande: in which case it shalbe
lawfull to euery one of ỹ kings lieges, to
retain thē, & to resist such purueiours

and

and nat to suffre them to make any suche purueyaunce. And if the cõsta-ble, Tithyngman, or chiefe pledge be required to ayde or assyste any man in makynge such resistence, and he re-fuse it, he shall paye to the partie gre-uyd the value of the thynge so taken, by accyon of det, with the damages to the double. Anno. xx. Henrici texti capitulo. xiiii.

¶ Constables maye arreste purvey-ours or biers of any lord, or other per son (except purueiours for the kynge and Quene) whiche take any batayle or carpage agaynst the wyl of the ow ners, and to commytte them to ỹ next prison of the kynges, there to remain without baylle or maynprise, vntyll they haue delyuered all the sayde by-taylles, or cariage, and other thinges so taken. And yf the constables do otherwyse whẽ they be required, they shall forfayte twenty pounde. The

moyte

moyte to be to the partie from whom the goodes were taken, to be recouered by accyon of dette, where in the defendaunt shall nat wage hys lawe. Anno.xxiii.Henrici.vi. capitulo.xiii.

¶ Clothiers shal pay to carders spiners, and other labourers lawefull money for theyr wages, and carders fuller, and other labourers shall do theyr duety vpon payne of double damages. And the constables of the hundred or constable maye here and determine the complaintes of euerye such clothier, and labourer aswel for none payment of the sayde wages of labourers, as of the sayd forfaytures and damages by due examinacion of the parties in that behalfe, & further for non payment of the sayde duties, forfaitures and damages, to commit the trespassours to the nexte gayle in the same countie, vntyl the sayde duties, forfaitures, & damages be duely

payed vnto the sayde labourers, or clothyers. Anno quarto Edwardi. quarti Capitulo primo.

¶ Euery hyghe Constables or petye Constable shal take or cause to be taken all vagabounides, idle people, & suspecte persons lyuing suspeciously and set them in the stockes, and there to remaine by one day and one nyght and to haue none other sustynaunce but breade and water, and then to auoyde the towne where they were taken, into such place or hūdreth where they were borne, or where they laste dwelled by the space of thre yeres. And if eftsones they be taken in suche defaulte then they to be set lykewyle in the stockes by thre dayes and thre nightes with lyke diet. Anno. xix. Hērici septimi capitulo. xii.

¶ Constables & other head officers & euery of thē findynge or knowynge any persō vsinge or exercisynge any vnlawe

vnlawful games as tenes play bowles, Classhe, and all other vnlawfull games prohibited by many statutes, shall haue full power to commytte euery suche offendour to warde, there to remayne without baile or maīpris tyll suche tyme be or they so offēdyng be bounden by obligacyon to the kinges vse, in suche some as by discrecyō of the same officer shalbe thought resonable, that they from thensforthe shall nat vse any vnlawfull games An.vi. Henrici.octaui capi.ii.

¶ For wages for bote men, and for theyr bargys or botes, or for a barge From Loudon to Graues ende.iii. s̄.orelles euery ꝑson & his male.ii.d̄. Frō Lōdō to Ereth, Grenewith, grastorrocke, or Purflete.xii.d̄, or els for euery person and his fartell.i.d̄.so it passe nat.xii.d̄. From Lōdō to Wulwiche.iz.d̄.for a bote or whery that is the tyde bote, orels euery person.ob.

From London to Grenewiche.iiii.d. or elles.ob.for euery person and hys fardel, Frō London bridge, or Sait Mary oueres, or Poules wharfe to Westminster.iii.d. orels euery person a.ob. Frō the blake friers, Bridwell and the Temple to Westmynster, or Lambeth.ii.d. with theyre males, or els euery persō.ob. so that it amounte to.ii.d. Frō Westminster to Lambeth or Staingate one.ob. for a bote from London to Horlake.xii.d. or els euery person.ii.d. with his male. And frō those places aboue named to Lōdon for a bote, or barge lyke summes to be payd. And these artycles to be kepte vppon payne to forfayte treble the fare. And Baylyffes, constables and other the kynges officers nexte adioynynge to the feries, vpon compleint to them made or to any of them by thē that be greued in that behalte, may arrest them and committe them to warde

to warde for theyr misdemeanoure, & to make fyne for the same. Anno. vi. Henrici. viii. capitulo. xii.

¶ By the statute made. An. xxii. H. viii. howe impotente persones shalbe ordered to begge and haue theyre lyuinge. It it ordeyned that if any impotent person auctorised to begge, do begge in any other place, then within the lymittes to hym assigned, then the Constables and all other the kynges offycers, shall by theyr dyscrecion punysshe all suche persones by imprison ment in the stokes by the space of. iii. dayes and two nightes, gyuynge thē but onely breade and water, and after that to cause euery suche person to be sworne to returne agayne without delaye to the Hundred, Rape, Cytye Borough, Towne, Parisshe, or Fraūchyse, where in they be auctoryzed to begge in.

¶ And if any impotent person be ba

garant and go a begginge & haue no such lettre vnder scale as is specified by thys statute then ỹ Constables & all other inhabytauntes with in suche Townes or paryshe, shal cause euery suche begger to be take & brought to ỹ nexte Justice of peace or highe Constable of ỹ hundreth. And therupon ỹ said Justicz of peace or highe Cõstable, shall cõmaunde the sayde Cõstables & inhabitaũtes of ỹ towne or parishe whiche shall bryng before hym any suche begger ỹ they shall stryppe him naked from the mydle vpwarde & cause hi to be whipped withi ỹ towne wher he was take, or where ỹ same Justices of peas or highe Constable shall appoynte. And if nat, the to cõmaunde suche begger to be set in the stockes in the same Towne or parish where he was taken by the space of thre dayes & thre nightes to haue only breade and water: and ther vpon ỹ

sayde

sayd Justices or highe Cõstables shall limit a place to ỹ saime begger to begge in. And to gyue him a letter vnder seale i fourme before limitted and to swere him to repaire thither immediatly after his punisheimẽt executed.

¶ And all other persons beinge hole and myghtie in bodye that do begge, the Constable of the hundreth, rape, or wapentake, wherin suche persons shalbe so taken. And the Justices of peace, or highe Constable (before whome they shalbe brought) by theyr dyscrecyons shall cause theym to be broughte to suche places where they thinke conuenient, & there to be whippid naked throughe the Towne, or Market, and thenne to be sworne to retourne to the place where he was borne, or where he laste dwelled by the space of thre yeres and to haue a lettre vnder the seale wytnessynge that he hathe bene punished.

¶ Also all ꝑsōs ẏ abiure to any saintuarie within this realme, shalbe cōueied there vnto by the constables of euery towneshippe, that is frō towne to towne til that he come vnto ẏ same saintuarie whereunto he is abiured in lyke maner and fourme as persōs that had abiured this realme, shulde haue bene conueyed to the nexte port of the see frō ẏ place where they be abiured vnto the same porte by course of the comen lawe before the makyng of thꝫ estatute. Anno. xxii. Henrici octaui capitulo decimo tercio.

¶ Euery fermour or owner of lādes tenementes, or hereditamētes, wherof the yerely value or rent amoūteth to. v. pounde, whiche manuereth the same, shall paye to euery person whiche by hys dilygence and laboure at his owne costes taketh any olde crowes, and rokes, or choughes, vpon ẏ same landes, tenementes or hereditamentes

tamentes of ỹ yerely value afore said two pens for euery twelue olde crowes, rokes, or choughes, and .i.d. for lyx, and one.ob. for thre olde crowes rokes or choughes. And yf any fermoure, or owner refuse to paye the sayde money accordynge as is afore sayd: then vpon complaint and proffe made therof to any Justice of peas, or hyghe constable, the same Justice or hyghe Constable shal cause the same money to be leuied by distresse of the goodes and catelles of euery suche fermoure or occuppyer of the same landes and tenementes. Anno. xiiii. Henrici. viii. capitulo. x.

Where it is ordeyned by an estatute made in the. viij. yere of kynge Richarde the seconde. capitulo. ix. ỹ he which espyeth and proueth defautes in any clothes put to sale cõtrary to ỹ assyse therof ordayned touchyng clothes, & contrary to ỹ sayde estatut

chulde haue the thyrde parte of euery ſuche clothe beynge defectyne for hys laboure by the delyuere of the Shyriffes, if they be preſent orels of ỳ lordes of fayres & marketes, or of Stewardes, Bayllyffes, or Conſtables of townes where ſuche defectyue clothes ſhalbe founde, by Indēture bytwene them to be made, the whiche ſhalbe delyuered euery yere into theſcheker at the feaſte of S. Mighell by them ỳ ſhal make ſuche deliuere, to theintent to charge the Aunagours, and Coillours, by whom ſuch maner of defaltes ought to be ſerched and amended An. ſeptimo. R. ii. capitulo ix.

¶ It any perſon ſhyppe marchaundiſe of the Stapele in places ſuſpect adioynynge to the coſtes of the water and maketh no Indentures therof bytwene him & the Mayer or Conſtable of the towne, they ſhalbe forfayte and the kynge ſhall haue the moyte

and

and the lorde of the towne, & he that founde and sealed suche wares shall haue the other moyte. And it is lawefull for euery person to serche in these causes. An. xiiii. Henrici sexti capitulo quinto.

¶ It is ordeyned that a horse man shall paye for passahe at Douer three shyllinges, and a fote man. vi. d.

And ỹ Cõstables of Dower to ponisshe thẽ that do the contrary at the suit of the party that wil complayne and shal do hym ryght in chat behalfe. An. iiii. Edwardi iii. capitulo octauo.

¶ The office of the Corone.

The office.

FOR to declare playnely the office of a Cozoner, in appereth by the statute of Magna carta in the.xv. chapiter that no Cozoner oughte to holde any plees of ỹ Cozone. But Bzeton declareth the office of a cozoner in fourme folowynge.

¶ Fyrste that in euery countie cozoners shalbe the pzincipall cõseruatozs of the peas to bere recozde of al plees of the Crowne, of abiuracions, vtlageries, and suche like. And the cozoners shall make an othe befoze the Shirif in the full coũtie, that they shal make theyz inquestes, enrollementes, and all that to the Cozoners office appertayneth lawfully, & without askinge allowanse. And if any felony chaũce oz treasour be founde, oz any woman rauished, oz pzison bzoken, oz any mã wounded nygh vnto death, the Coroners (so sone as he shall knowe ther of)

of) shall sende to the Shyryffe, and Baylliffes of the places (where suche auēture shall happē) to cause to come before him by a certaine day at ẏ place (where suche chaunce befell) foure of the nexte towneshyppes and other if nede be, by whome he shall enquire the verite, and shall compell ẏ towneshyppes to sweare vpon the sayntes to shewe the truth of those artycles ẏ he shall demaunde of thē. Then shall the Coroner and the Jurrours view the body, and the woundes, and the strokes, and immediatly after suche viewe had the bodye shalbe buryed. And yf the Coroner fynde the bodye buried before his comminge, he shall recorde the same, neuertheles he shall nat omitte to digge vp the body, and make it be viewed openly of the townes. And those Jurrours which haue ben somoned, and come nat to the inqneries of Coroners, shalbe amercyd

at the

at ỹ commynge of the Justicers at ỹ fyrst assyses ī those Coũties so ỹ suche defaultes be entred in the Cozoner-roll, so ỹ ỹ Cozoner shall haue no power to amerce no mā foz any defaute.

¶ And when theinquest is swozne ỹ Cozoner must inquire if ỹ persõ were slayne by felony, oz by misaduẽture, & whether ỹ felony were done within a house, oz without, & all ỹ circumstance. And after it shalbe enquired who were pzesente at the dede, and who be coulpable of the ayde, fozce commaũdemeut, consent, oz receite of suche felonies wittingly. And if the Cozoner haue any suspeccion of ỹ fyrst inquest foz concealmẽt of ỹ trouthe, oz if it be nedefull to enquire better, & by other then shall he enquire dyuers tymes, and all suche as therof shall happe to be indyted, the Shyzyffes shall take in all the haste, if they maye be founden, and yf nat, the Cozoners

shall

ſhall enquyze who they be, and who hathe withdzawen them ſelues foz the occacion. And the Shyzyffe ſhall fozthewith cauſe theyz landes to be, ſealed and afterwardes all theyze goodes, and cauſe them to be pzay-ſed by lawefull inqueſt, and the goodes with the pzyces ſhall be enrolled in the Cozoners rolle, and ſhall be delyuered to the townеſhyppe foz to be aunſwerable therfoze vnto the kynge in caſe the partye ſo indyted flye, and wyll nat ſtande to ryght.

¶ And after they ſhall enquyze if the that is indyteo dyd euer fynde ſure-tye to kepe the kynge peace, and the naines of his Mainpernours, which he ſhall entre into hys rolle.

And yf the playnetyffe wyll ſue Ap-pealle with in the yere, and the daye, thenne ſhall he fynde two ſuf-fycyente pledges to the Shyzyffe of that Countye, dyſtreynable with in

the

the same, to sue his appeall accordig to the lawe of the lande. And thē shal the cozoner cause the Appeale to be entred with the names of the pladgs and after it shalbe commaūded vnto the Seriaunte of the countre where such felony is done (whiche as me semeth is the Shyrisse oz his Baillysse errant) that he haue the bodye at the nexte countie. And if the Seriaunte retourne at the seconde countie that he can nat finde them, then shall it be awarded that the pzincypall beynge appealed of the dede, shalbe solemply called to stande right touchynge the same felony, and so shalbe called frō countie to countie, vntyll they come oz be outlawed. And if the playntysse make defaulte at any countie, then shall therigent passe vntyll the commynge of the Justices of the kynges benche, oz the Justices in Eyze in the countre. And if the pzincipall be out

lawed

lawed, the exigentes ſhall go forth immediatly agaynſt the acceſſoryes. And when they ſhalbe outlawed, wdrawē or ſuſpected, the Cozoner ſhall enquyre at whoſe finding ſuche a fugytyue hathe bene, and accordynge vnto the verdite he ſhall enroll, and then enquyre of the landꝭ and goodꝭ of ỳ fugitiue. And yf they appere before the outlarie, they ſhalbe repleuiable. And yf ỳ felonie were done out of a houſe, the Cozoner ſhall enquire who founde the bodye fyrſte, and he ſhall be taken and let go vnder ſuertyes. And that no Jurrour be remouyd by challenge of any partie. Neyther ſhall any Cozoner take any thig by him ſelfe, or by other, nor ſuffer to be taken by his clerke, for doinge his office. And yf it be founde that any is deade by miſaduenture, then ſhall it be enquyred what myſaduenture, as if it be founden that he fell from a

Wyne it shalbe enquired what thinges were then mouynge there, and howe much they be worthe and so yf he fel out of a cart. And yf one fal out of a shyp, nothynge shalbe iudged the cause of hys death but the shyp, & the thinges that moue therin, and nat the marchaundise lyenge therin.

¶ And ỳ Cozoners ought to receiue the cõfessyon of felonies made by pzouours in pzesence of the Shyzyffe, who shall be hys Comptrollour in all hys offyce, and suche confessyon he shal cause to be enrolled. And whẽ any person fliethe to a church, so sone as the Cozoner shall haue knowledge therof, he shall sente to the Baylyffe of the place, that he shal cause to come befoze hym by a certayne daye the neyghbours, & foure of the nexte townshyppes adioynyng to the churche, and in theyz pzesence shall receiue the confessyon of the felonye. And yf

the

the fugitiue pzaye to abiure ỹ realme the Cozoner ſhal do that the which to his offyce be longeth.

¶ Alſo he ſhall enquire of raye, and all the circumſtance, the Appealles whereof with all other appealles of robberye, felonye & ſuche lyke, he ſhal cauſe to be entred in hys rolle.

¶ Alſo they ſhal enquire of treaſour founden, of wzeckes of the ſee, and of Sturgeons, and of Whales taken, & who were the takers, whoſe names they ſhall enrolle, and let them go by maynpzyſe. And ſuche thynges as ſhall happen to be founde, they ſhall ſafely kepe to the kyngꝭ vſe. And the Shyzyffes, and Bayliffe, ſhalbe alwayes attendaunt vpon them, and theyz commaundementes.

¶ It is ozdeined that thzought out all the Counties of England there be choſen ſuffycyent Cozoners, of the moſt ſage and lawefull knyghtꝭ that

maye belle to the same office entende whiche lawefull shall attache, and prelent plees of the Coroner as well of appealles, as of thinges to ỹ same office belongynge. And that no Coroner demaunde nor take any thynge for doynge his office, vpon payne of a greuous forfayture to the kynge. i. Westm̃. capi. xii. But nowe by the statute made. An. i. H. viii. capi. i. the Coroner shal haue. xiii. s. iiii. d. of the goodes of the murderer. And yf the mourder be commytted in the daye tyme, and the mourderer escape, the Coroner shall haue. xiii. s. iiii. d. for the escape vpon the townesshyppe.

¶ Also it apperythe by an estatute made in the. xiii. yere of Edwarde the fyrste, whiche is called the statute of Exresster, vnder what order inquisycyon shalbe made of the defaultes of Coroners (be they alyue or deade) where ye shal see the charge that shal

be

be gyuen to the inqueſtes that ſhalbe charged to enquire of Cozoners, in whiche charge it apperythe further, what the Cozoner ought to do by his offyce, whiche charge here enſuythe

¶ The fourme of the charge to enquire of the defaultes of Coroners accozdinge to the eſtatute of Exceſter.

FYrſte they ſhall enquire if the Cozoner go in pzoper perſon to do his offyce, oz nat, wherby it apperythe that he cã nat make a deputye.

2 Alſo yf he haue ſet any other to do hȝ offyce what he was, and how often and aboute what aduentures.

3 Alſo if he came at euery tyme of hȝ owne good wyll without delaye, oz that he oz hys clerke haue taken any thyng foz the moze ſpede executynge of their office.

4 Also yf he tary or deayle to them then to haue any rewarde after that he hathe knowledge of the trouthe, and after that he is sent vnto, howe often, and in what place, and vnder what maner.

5 Also yf the goodes of felons taken by hym, be delyuered to the townes to kepe by a lawefull enqueste as they ought to be, and enrolled in hys recorde or nat.

6 Also yf the Cozoner take any thig of any person for to take a false inqueste for to dystroye the ryghte of any, or to prayse the goodes for lesse then they be worthe.

7 Also yf he entre any thyng in his rolles, otherwise then it was gyuē by the inquest, and what thyng he, or his clerke toke therfore, and howe often, and for what thynge he or his clerke toke suche thynge.

8 Also yf he or his clerke toke of the goodes

goods ye were prayled, & prysed thē at lesse thē they entred thē i their rolles.
9 Also yf the pryces were nat assesyd by the enqueste.
10 Also if the townshyp were falsely charged, and of what thynge.
11 Also if any appeales were falsely enrolled, or imbesiled out of ye rolles, after that the were entred.
12 Also yf he refuse to take any plaīt of appe all, for pouertie, hate, or other lyke cause, and what he toke for that occasyon, and of whome, and howe muche.
13 Also if he or hs Clerke haue taken ought of the goodes of ye partie ye is deade vp on whose bodie he take viewe, what thynge it was, and howe often he so dyd.
14 Also yf he haue entred all the attachementes belongynge to hys offyce in due maner, or if he haue made any attachemēt for to greue any ysō

or to haue of hys owne, and entre it in to hys rolles.

15 Also yf he haue nat done hꝫ offyce at all tymes at hys owne costes without takynge ought therfore.

16 Also yf he haue concealed ought at any cōtie, or procured to be murdered, to the greuance of any person and if he so dyd then to enquire howe often, and for what rewarde, and for whom, and in what case he so dyd.

17 Also yf al the attachementꝫ hangyng, and lawfully receyued be pursued by him as he ought to do for the Kynge or for the partye, or cause to he pursued.

18 Also yf the goodes of suche as haue fled the townꝫ where they dwell for suspecciō of ťelyny, were attached by him, and praysed by enqueste, and enrolled accordīg therunto, & deliuered vnto ẏ townꝫ (where those goodꝫ were founden) to kepe safely vntyll

the

the cõminge of the Justicers in Eyze.
19 Also yt he suffer appealles oz o-
ther plaintes to him made, to be con-
ueyed awaye, imbeseled, oz raisyd out
of the rolles, and if he take ought foz
suche falshed, of whom, howe muche
and howe many tymes.
20 Item yt there were any treasour
foũde in the tyme of ỹ same Cozoner,
in what place, & what maner of trea-
sour, and howe muche, and in whose
handes it resteth, and by whose de-
lyueraunce.
¶ This is the hole charge that Ju-
stycers in Eyze muste gyue, foz to en-
quire of Cozoners, and of theyz de-
faultes. Fozthermoze Justicz i Eyze
may impanel other inquestes of four
and twenty persons of the bodye of ỹ
countie to inquire of the concealment
of the fyrste inquestes whiche dyd en-
quire of the defautes of Cozoners.
¶ When Cozoners haue any know-

lerge from the kinges Baylyffes, or other honest men of ỹ countrey for to go vnto suche as be slaine, or sodainly deade, or wounded, or brekers of houses, or to any place where treasour is sayde to founde: they muste go forthwith, and commaunde four, fyue, or sexte, of the next townesshypp, that they be afore thẽ at suche a day & place, and when they shall come, then ỹ Coroner must make enquyre therof in fourme folowynge.

¶ Fyrste yf the person were slayne in house, or in the fylde, in bedde or at the tauerne. &c. and who be gylty there either of the dede or consent. &c. And any be in ỹ courte, whiche were these so ỹ they cã ỹpeake, or haue any discrecio, & they that be foũden gylty by inquest shalbe takẽ, & deliuered to the Shyryffe. And suche as were present, and be nat gylty shall be attached vntyl the comming of the Justices

ces, and theyr names shalbe wrytten in the Cozoners rolle.

¶ If any be sodaynly slayne in fyld, or in the woodes, it is fyrste to be sene whether he were slayne there or nat, and yf he were nat slayne there, then as nere as they can, they shall folowe the steppes of hym that brought the bodye thether with horse, or carte, yf it be possyble, in case the murderer be knowen, and yf he be a straunger then shall they enquyre where he was lodged the nyghte before. And touchinge such as shalbe founden gyltie the Cozoner shall go immediatlye to their houses, & enquyte what goodes and landes they haue, & howe muche they be worth by the yere.

¶ But by the statute of kynge Rychard the.iii. it is ordeyned that the lãdes & goodes of suche pſõs shal nat be sealyd vntyll they be attaynted, or otherwise cõuicte by course of ỹ lawe

And these thynges thus beynge enquire the bodyes shalbe buryed incontynent.

¶ Moreouer they muste enquyre of such as be drowned or deade sodainly and wherther they were drowned or strãgled, or slayne, and they muste enquire who were the finders that they may be attached. Also they muste viewe the lẽgthe, bredthe, and depnes of al woundes, and muste enquire with what weapõs, and in what place of ỹ bodie. And yf the wounde be mortall the offendour shalbe kept vntyll it be knowen whether the partye maye be hole. And yf the wounde be greate, then he shalbe let go vnder foure, or fyre pledges, and if it be but lytle, thẽ two pledges shall suffyse. Also they muste enquire of horse, cartes, and other thinges wherby any was slayne that they maye be praysed and delyuered vt supra.

Also

¶ Also they shall enquire of wrecke of the see, and yf any laye hande vpō it, he shalbe attached by good pledgs and ȳ wrecke shalbe praysed and delyuered to the nexte townesshyppes. Furthermoze hue and crye shalbe leuied vpō al manslaughters, burglaries, oz when any dayne oz in parel ot death yf it m[illegible]e. And al shall folowe suche hue and crye, yf they be able, and they that do nat, shall be attached to appere befoze the Justycers. &c.

¶ Also yf any person flye vnto the churche, oz other halowed place foz murdze, felonye, oz suche lyke offence the Cozoner vpon knowlege thereof shall come thether and take is confessyon, and yf he wyll abiure the realme, the Cozoner shall receyue hys abiuracyon, whiche he shall laye in thys fourme.

The

¶ The fourme of the Abiuracyon.

HERE you thys Syr Cozoner that I.A. B. am a theke of one hozse (oz other lyke thinge) oz a manslear of one man (oz moo) and a felon of our soueraynge lozd kyng Henry ye eyght. And kozasmuch as I haue cõmitted many euyll deades & felonyes in thys his realme, I here abiure his lande koz euer, & shall make as muche hast as I cã, to the hauẽ of. D. which you haue assygned me, & I shall nat departe out of the hyghe waye, & yf I do, I wyll that I be taken as a theke and felon of the kyng. And further I shall diligẽtly seke my passage at the place aboue lympytted, and I shall nat abide ther any lẽger thẽ one ebbe & one flode, yf I may haue passage. And yf I can haue no passage in so much space, I shall go euery day into

the

the see vp to my knees, & assaye yf I can get ouer. And yf I can nat so do within fozty daies cõtinuing. I shall yelde my selfe again to the church, as the kinges theefe and felon. So helpe me God and holydome.

¶ Neuertheles it semeth that when any person shal abiure, him behoueth to shewe the place, the daye, and yere, and in what countye he dyd the felonye, oz Murdze, whiche confessyon shalbe as an Indytement in effecte natwithstandinge yf he do it nat but only as befoze is expzessed, it is good ynoughe, bycause he is attaynted before by hys abiuracyon. Howbeit this maner of abiuracyon is, put out by the estatute of Hẽry the.viii. made in the.xii. yere of hys reygne, whereby it is ozdeyned that suche as wyll abiure, shall make theyz abiuracyon frõ all theyz lybertie vnto some sayntuarie within thz realme, there to remaȝ

no during

durynge theyr lyues, and shalbe burned in the ryght hande with this letter. A. And yf such a persō afterwarde be taken out of saintuare, he shalbe ordered in like maner as one that had abiured the realme before the sayde estatute. And the same person that so taketh the churche shall make hys abiuracyon, and shall take hys passage from thense at suche a daye and tyme as the Cozoner shall appoynte, and shalbe marked vpon ỹ brawne of his thōbe on the right hande with a burnynge yron, and shalbe conueyed to the laynturie (wherunto he is abiurid) by ỹ Maiors, Bailleffes, & Constables, in suche facyon as they haue bene whiche heretofore had abiuryd the realme. And yf any felon refuse to abiure before the Cozoner, he shall be taken out of the saintuarie, & shall lese the priuiledge therof. And that is by the statute of. A. xxi. H. viii. ca. ii

Also

¶ Also it is ozdeyned that none shall be chosen Cozouer, if he haue nat lande sufficient within the same countye foz to aunswere all persons. An.iiii. Edwardi.iii.capitulo.viii.

¶ And it is further ozdeyned that al Cozoners shalbe chosē in the ful coū-tye by the comons of the saide County of the moste conuenyent and able persons. An.xxviii. Ed.iii.capi.vi.

¶ The Cozoner shall enquire vpon the viewe of the boby, if he were slayne by daye if the Murderer be taken. And if the Murderer escape, the townesshyppe to be amerced. And the Cozoner shal inquire of that escape whē he enquereth of the death vpon the viewe of the bodye. And the Cozoner shall haue foz hȳ fee.xiii.s.iiii.d. of ȳ goodes of the Murderer. And yf he haue no goodes, then to haue his fee of suche amerciament as shalbe set vpon the townesshyppe foz the scape.

durynge theyr lyues, and shalbe burned in the ryght hande with this letter. A. And yf such a persõ afterwarde be taken out of saintuare, he shalbe ordered in like maner as one that had abiured the realme before the sayde estatute. And the same person that so taketh the churche shall make hys abiuracyon, and shall take hys passage from thense at suche a daye and tyme as the Cozoner shall appoynte, and shalbe marked vpon ỹ brawne of his thõbe on the right hande with a burnynge yron, and shalbe conueyed to the laynturie (wherunto he is abiurid) by ỹ Maiors, Bailleffes, & Constables, in suche facyon as they haue bene whiche heretofore had abiuryd the realme. And yf any felon refuse to abiure before the Cozoner, he shall be taken out of the saintuarie, & shall lese the priuiledge therof. And that is by the statute of. A. xxi. H. viii. ca. ii

Also

¶ Also it is ozdeyned that none shall be cholen Cozoner, if he haue nat lande sufficient within the same countye foz to aunswere all persons. An.iiii. Edwardi.iii.capitulo.viii.

¶ And it is further ozdeyned that al Cozoners shalbe cholē in the ful coū= tye by the comons of the saide Coun= tye of the moste conuenyent and able persons. An.xxviii. Ed.iii.capi.vi.

¶ The Cozoner shall enquire vpon the viewe of the boby, if he were slay= ne by daye if the Murderer be taken. And if the Murderer escape, the tow= neshyppe to be amerced. And the Co= roner shal inquire of that escape whē he enquereth of the death vpon the viewe of the bodye. And the Cozoner shall haue foz hȳ fee.xiii.s.iiii.d. of ȳ goodes of the Murderer. And yf he haue no goodes, then to haue his fee of suche amerciament as shalbe set vpon the towneshyppe foz the scape.

And after the murder founde, the coroner shall certifie his inquisicyon afore the Justicers of the next generall Gaole deliuerie in that countie. And yf the coroner be remysse, and make hys inquisicion vpō the viewe of the bodye, and certifye nat accordinge as is aforesayde: then the coroner for euery default to forfayte one. C.s. An. vii. Henrici. vii. capitulo. i.

¶ It is ordeyned that vpon enquest to the coroner to come and inquyre of any persone drowned or slayne by misaduenture: the coroner shall dylygentely do hys office without any thynge takyng therfore, vpon payne of euery coroner that wyll nat endeuer hym to do his office, or ỹ takethe any thinge for doynge his office vpō any person deade by misaduēture. xl. s. Anno. i. Hen. viii. capitulo. vii.

¶ In case of mans death within the yierge, it shalbe commaunded to the

coroner

Cozoner of the coũtrey that he togy-
ther with the Cozoner of the kynges
house do make the enquere, and en-
rolle it. And that whiche can nat be
determyned befoze the Stewarde by
cause the Felons be nat attached, oz
foz other lyke cause, shall remayne at
the comon lawe so that the exigẽtes,
vtlagaries & pzesentmẽtes therof be
made in Eyze by the Cozoner of the
countre, as of other felonyes done
out of the vierge, Artycles vpon the
Craters. Capitulo secundo.

¶ No Cozoner, Shyzisse, noz other
offycer shal take ought foz hys offyce
and yf he do, he shall restoze twyse so
muche. Westmister.i.cap.xxviii. But
the statute of.H.vii.gyueth to ỹ Cozo
ner a Warke of euery murder.

¶ Also it was saide by the Justicers
M.sexto Richardi secundi, that the
Cozoner hathe no power to enquyze
of mannes death, but onely vppon

viewe of the bodye, and yf he do, it is
frustrate and voyde. And yf one Co-
roner enquere vpon the viewe of the
bodye, & after another Coroner wyll
come and enquere therof agayne,
this seconde enquere is voyde, for the
fyrste enquete is onely of recorde.

¶ If one become a prouour before ỹ
Coroner he shall nat afterwarde be
admitted to say that he dyd committe
the acte by duresse of imprisonment,
for the recorde of the Coroner shal es-
toppe to hym plede that.

¶ If any wyl sue appeale of robbrye
or larcenie, he must come into the full
countye within the yere and the daye
after the felony done, and must fynde
two pledges to folowe his suit, and ỹ
Coroner shal entre his appeal imme-
diatly in his roll, and the names of ỹ
pledges. And then shal it be cõmaun-
ded to the Bailliffes of ỹ place, where
&c. that he haue the bodye at the next
countye

countye. And yf he returne at the se-
conde countie (Non est inuentus) then
shal the Appealle be called from cou-
tye to countye vntyl he be outlawed,
and yf the paintife make defaulte at
any countye, then shal the exigēt cesse
vntyl the Eyze of the Justicers in the
same countye, and the playntyfe shal
lease his accion after apparaunce foz
euer, wherby it appereth that after ȳ
yere and daye a man shall nat haue
appeall of felony. And to this poynte
agryeth Bzeton in his fyzste boke.

¶ The Cozoner must recozde his vi-
ewe, abiuracyon, appealles, and accu
syeyons of theues made befoze him, &
so muste he do of all thynges that be-
longe vnto his office to be done, & the
non suites of plaintiffes in appealles
he muste recozde, with all thynges
done in the countye whiche belonge
vnto his offyce. Also ye shal note that
appealles shalbe made in the courte

of any lord that hath fraūchise of In fangthef in presens of ỳ Coroner. &c.
¶ A presentinente was sent into the kynges benche by a Coroner compri=synge howe a certyne person taken for felonye, was cōueyd vnto ỳ chur=che by certyne Freres. &c. And by=cause the Coroner had no power to take suche an inditement, a writ was directed to ỳ same coroner to certifie whether he had any other presentmēt or nat. An. xxvii. Edwardi. iii. Libro Assisay.
¶ An aduēture of the death of a mā was presēted before Justices in Eyre and bycause the same was nat foun=den in the coroners rolle, the Coro=ner was awarded to prison. The co=roners fee in Eyre, is to haue a pēny of euery venue, when they shall come
¶ Note that a presentment made be=fore Justicers in Eyre of a thynge, which is contrary to ỳ, that is entred

in the

in the cozoners rolle, shalbe takē as voyde, and the cozoners rolle shalbe taken foz the recozde.

¶ The cozoner shall enquire of the death of mē slaine, oz dzowned in the armes, oz creekes of the see where the lande may be sene of eyther syde. But nowe by the statute made. An. xiii. R. secundi cap. v. and confyzmed. An. ii. H. iiii. cap. xi. the admyzal hath no iurisdiccyon, but onely vpon the hyghe see, wherby it apperyth that the Cozoner hathe iurysdyccion there to enquyze of mannes death.

¶ A Cozoner maye take an appeale of felonye made by an appzouour in any countie of Englāde, and so maye he do of an abiuracion, in case that he confesse the felonye to be done in an other countie. And the cozoner maye abiure him aswel vpon that, as if the felonie had bene done withi the same

countye. But he can nat take any ap-
pealle of robbezie, of felonye, oneles
it be within the ſaine cauntye where
the robberye, oz felonye was commyt
ted and where he is Cozoner, foz by ȳ
cõfeſſiõ, oz appeacheinẽt he is attayn-
ted, and ſo is he nat in the other cauſe
¶ One that becometh a pzotour be-
foze Juſticers ſhall nat haue a Co-
roner excepte he wyll confeſſe the fe-
lonye befoze them, and pzaye a Cozo-
ner. T. xxvi. Edwardi. iii.
¶ And yf one become a pzouour and
appeal other of diuers felonies done
in other countyes, in thys caſe the
Cozoner can nat make pzocȝ therupõ
into any fozeyne countye, but he ſhall
entre it in hȝ rolle, and ſhall ſende the
ſame pzeſentment befoze the Juſty-
cers of gaole deliuere, and the Juſty-
cers of gaole delyuere ſhall awarde
pzoceſſe to the Shyzyffe of the foz-
reyne countie, foz to take hym that is
ſo

so appealed.

¶ Thus ye muste vnderstande that yf any Shyrryffes, Bailyffes, Eschetours, Constables, or Cozoners take ought for doyng theyr offyces, otherwyse then to them is lymytted by the statutes before declared, that the suche taking is extorcio, whith is punishable at the kings pleasure, as apperith by the statutes before wrytten, and by the statute made. An.i.H.iiii.capi.xi. where by it appereth that Shyrriffes and theyr ministers, Baillifs, & theyr minysters, Eschetours, and theyr mynysters, Cozoners, and theyr ministers ar- boũde to serue all precepts to them directed from the Justicers of peace without takynge ought of any partye. And yf a precepte be directed to the Shyrriffe, or any other the kynges offycer, to compell any to appere before the Justicers to fynde suertie of ỹ peas, yf the partie (agaīst

whome any suche precepte is dyrected) be redy to come before the sayde Justices to fynde suertye of the peas the shal take no thynge of hym. And in lyke maner must they serue al processes that come to them, directed out of the kyngs benche, the comon place the Escheker, or the Chauncerye without takynge ought therfore but onely the fees expressyd in the Estatutes before written. And yf they take any other fees, it is playne Extorcyon.

A briefe declaracyon concernynge the extorcyons of Ordinaryes, Persons, Vicars, and Curates.

Ordinaryes.

CONCERNYNGE Ordinaries, ye shall vnderstãde that it is ordeyned by an estatute made in ỹ one and twenty yere of kynge HENRY the eyght, that no ordinarye shall take any thynge for the probate of ỹ testamẽt of suche a person, whose goodes amounte nat aboue the sũme of a hundreth shyllinges, excepte to the Scribe. vi.d. only And of goodes aboue the value of a hũdreth shyllinges, vnto forty poũde iii.s.vi.d. And the Scrybe to haue twelue pens of the same sũme. And for the probate of a testamẽt of goodꝫ aboue the value of forty poũde, fyue shillyngꝫ, wherof the Scrybe to haue two shyllynges and fyre pens, or for euery lyne being ten inches in lẽgthe one peny, and suche lyke summes for letters of administracion, where such persõs dye intestate, and the testamẽt

to

to be regestred, and delyuered to the partye without delaye, and letters of Administracyon to be graũted to the wyfe, or nexte of the bloude of the partye deceassyd, or to bothe. And for the probate of a testamẽt, or letter of Administracyon of goodes vnder the sũme of a hundreth shyllynges, the Ordinarie shall take nothige. Moreouer it is the office of the Ordinarye to deface ỹ seale of ỹ testatour (wherwith the testamẽt was sealed) and to delyuer it agayne to the partye. And yf the Ordinarye take any more then afore is lymitted, he shall forfayte so muche as he taketh, and ten pounde more belydes that, wherof the monte shalbe to the partye greued.

¶ If the Ordynarye cyte any person to apere in a spirituall courte to depose in any matter there as a wytnes, that is extorcyon and wronge to the partye.

If

¶ If any Ordinarye, Persō, or Vycar take any mortuarie after ỹ death of any person, which had nat in good to the value of ten markes, that is extorcyon. And lykewyse it is where they take a mortuarye in suche places where it hathe nat bene accustomed to pay mortuaries. And euen so it is where a Person, or Vicar taketh more then.iii.s.and.iiii.d. i the name of a mortuarie yf the goodes amoũte aboue.x.markes, & vnder the value of.xxx.li.for that is extorcion. Also yf he take more then.vi.s. viii.d.for a mortuarye where the goods be aboue the value of.xxx.li.and vnder ỹ sũme of forty pounde, the dettes paied that is extorcyon.

¶ And yf they take of them whose goodes amoũte to.xl.li.aboue ỹ dettes payde, more then.x.shyllyngs for a mortuarye, that is extorcyon.

¶ And if the take any mortuarie for a woman

a woman maried, or one that is with in age, or for a man that kepeth no houle, it is extorcyon.

¶ And yf any mortuarye be taken in Wales, it is extorciō, except Byshoppes ỹ shall take mortuaryes there of prestes, & curates. And the Archdeacō of Chestre shall take mortuaries of prestes within the countie of Chestre

¶ And who so euer taketh for a mortuarie more thē he ought, shal forfait asmuch in value as he taketh, and forty shyllyngs beſydes that to the partie greued. An. xxi. Henri. octaui capi. vi.

And this haue I thought sufficient to declare vnto you cōcerninge Extorciōs of Ordinaries persons, Vicars, and Curates.

¶ FINIS.

C Imprynted at London in Fletestrete / at the sygne of the George nexte to saynt Dunstones Church by Wyllyam Myddylton.

In the yere of our Lorde M. CCCCC. XLV. The. X. daye of January.

✠✠

20 AP 58

+ anno 1544

Better yt ys to fiffer and fortune to a
byde thew hastlyt to clymbt & so dwelle
to slyde

martin pollard